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THE AMERICAN SPECTATOR®

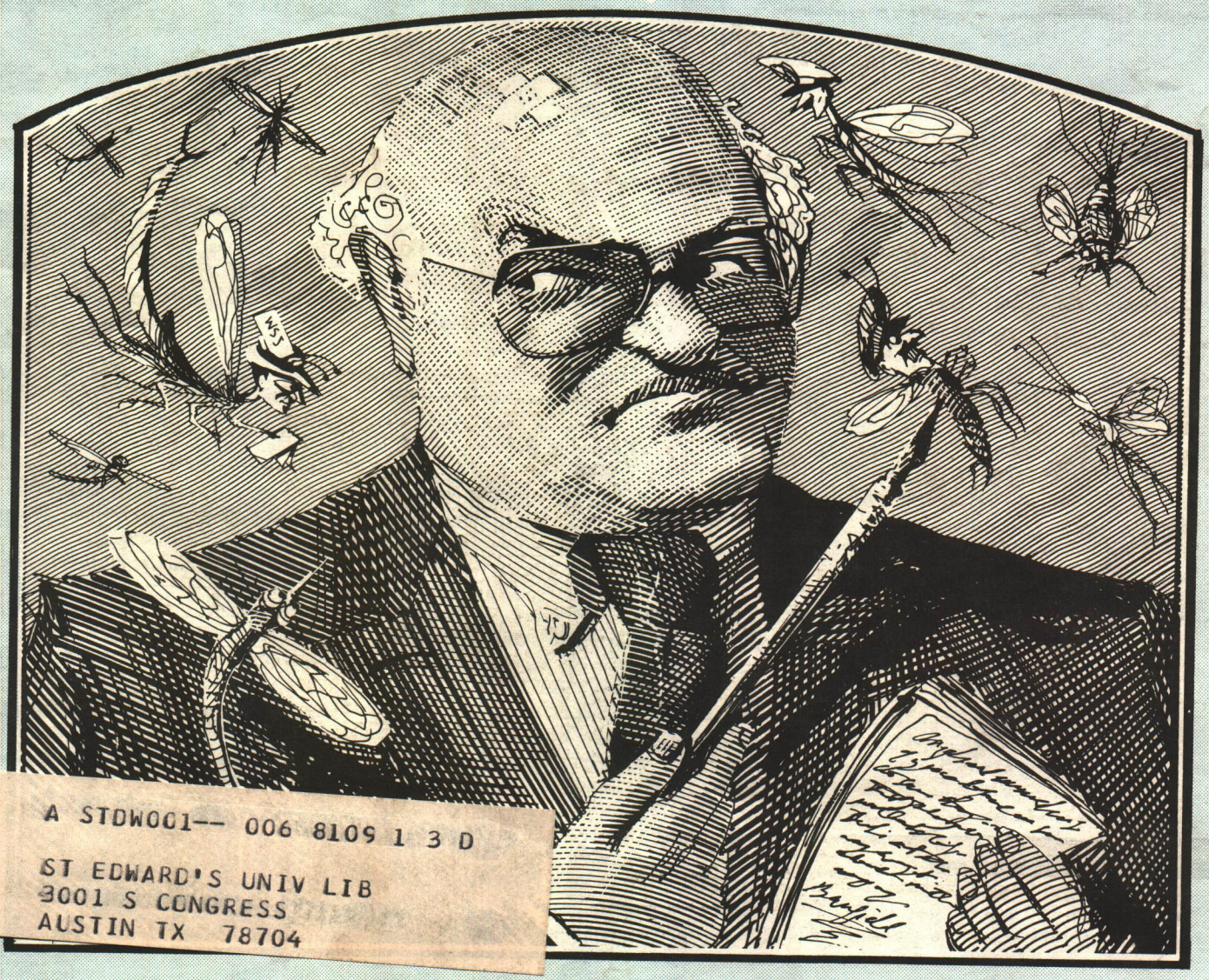
VOL. 14 SEPTEMBER 1981 NO. 9

Robert Dawidoff: Henry Adams, the Lost Republican

John Podhoretz: The Truth About Philip Roth

Joseph W. Bishop, Jr.: The Litigious Society

Jacobo Timerman, Jacobin



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THE CONTINUING CRISIS

• July 1 to August 6, and as temperatures soared the privileged of the land took to frolicking along our nation's shores, churning through marlin seas, counting waves, and tossing frisbees through the foam and spray to their rascally dogs and children. Joining in the fun was this magazine's editor-in-chief-for-life, who sent word from his catamaran that he would return to this page next month, roasted.

• July 4 fell on a Saturday this year and thus passed unappreciated, Americans preferring the benefits conferred by July 3 or 6. And so a magnificent Independence Day op-ed piece by Coogler laureate Bertram Gross went unnoticed. "I love America!" opined Gross. "I am proud of the historic progress during my lifetime in fighting against racism, sexism, classism, ageism and homophobia. . . . I am in love with the English language—and especially the American variant." John McEnroe used the day to win new friends in London, and it was reported that a band of handicapped climbers—six blind, two deaf, one with epilepsy, and one, the straggler, with an artificial leg—had conquered 14,410-foot Mt. Rainier, above Paradise, Washington.

• The Moral Majority spread its reactionary excesses to the continent and claimed children for its latest victims. "To read the papers you would think that I'm not a very nice man," the Reverend Dwight Wymer of Grand Rapids, Michigan, lamented after being forced to disassemble the home-made "electric stool" he had used in his Bible School class to prod his captive pupils into a better understanding of how "God warns us, if we can learn to listen." Although Wymer had borrowed the idea from a magazine that provides ministers with teaching aids, secular pedagogues of the humanist persuasion questioned the efficacy of such methods which might "cause the child to reject the teachings because of the association with pain." In Chicago, two surgeons were suspended for 29 days for operating on the wrong leg of a nine-year-old boy suffering from a birth defect. Bill Walton enrolled at the Stanford University Law School, and the John Birch Society announced its intention to found a university in New England.

• A 19-year-old skateboarder near San Bernardino, California, was pulled over by the Highway Patrol for doing 75 miles an hour down an incline on Interstate 15 in Cajon Pass. The young man's feat was later dismissed as a prank when it was revealed that he had lain prone through the entire run. In Indianapolis, Indiana, 21-year-old Arthur Zimmerman was trapped for three hours when his pants became wedged inside a hollow of a carnivorous catalpa tree he was attempting to climb. "I sure wasn't going to take my pants off," he later explained, "There were ants all over that tree." An 18-year-old Copenhagen, Denmark youth also failed to remove his trousers—a pair of skin-tight designer jeans—after being thrown into a bathtub at a party one evening, and then going to sleep still fully clothed and awakening 11 hours later with a paralyzed right leg. Describing the case in the Danish medical journal *Ugeskkift for Leager*, Dr. Bent Mathieson cautioned young people against buying jeans "so tight they have to screw themselves into them." The virile European youth culture suffered another blow when a University of the Aegean study disclosed that disco music can cause homosexuality in mice and—presumably—in men.

• In San Francisco, after a joyous Lesbian-Gay Freedom Day parade attended for the first time by the Dykes on Bikes (a motorcycle gang) and the Sisters of Perpetual Indulgence (description unavailable), relations between the sexes took a turn for the worse when a five-alarm fire gutted the city's Folsom Street Barracks and countless other structures, including a male-only sadomasochistic bathhouse and a warehouse owned by the manufacturer of Rush, a sexual stimulant used widely by the city's exotic socialites. After firefighters said they detected the smell of "burning meat," a temporary morgue was set up in an alley. "We can't write this off as a lifeless fire," announced Fire Chief Andrew Casper. "There may have been people chained to beds."

• Divisions among Democrats grew ever more apparent as a number of aging stars jostled for position with 1982 and 1984 in mind. In California, Governor Jerry Brown achieved victim status when he allowed a federal official to "put a gun to my head" in forcing Brown to take a whiff of malathion. From Plains, Georgia, one-time president Jimmy Carter reluctantly admitted in an exclusive interview with *Parade* magazine that prejudice against Georgians was a most distressing legacy of his White House years. But even worse: "For anyone to say Rosalyn's time in the White House lacked class! To say cultural life suffered while we were in the White House is simply contrary to fact." Carter had a point. On July 7, in Chico, California, Willie Carter Spann, Jimmy's prodigal nephew, was arrested together with *his* wife and charged with burglary. Walter Mondale and Edward Kennedy formed separate political action committees to advance their misfortunes, though stealing Teddy's bluster was another nephew, Robert F. Kennedy, Jr., who in his Hollywood Bowl debut at an antinuclear rally proclaimed: "Personally, I'd like to get the Israeli Air Force to do the same thing here as they did in Iraq." Yet for sheer political reflex, nothing could surpass the performance of H. John Rogers at a televised news conference in Charleston, West Virginia, at which he announced his candidacy for the United States Senate and thereupon punched out WSAZ-TV news director Loren Tobia for venturing to ask the senator-to-be: "Do you think your recent stay in a mental institution will hurt your candidacy?"

• No television crews were present in Bedford Hills, New York, to record what it was that Jean Harris said to provoke another inmate to punch her. At Folsom prison, California's oldest male prisoner, 93-year-old, six-time killer, cancer-stricken Frank Hampton applied for parole, telling the state Board of Prison Terms: "I've never committed a crime, other than killing someone who was bothering me." Ninety-two-year-old Robert A. Rabinof was sentenced to 30 days in jail in Clearwater, Florida, for refusing to pay his former wife $1,200 in alimony, and a 39-year-old Keyport, New Jersey man arrested for disorderly conduct used turkey skewers to commit suicide in his cell.

• Summer studies at the University of Southern California in Los Angeles were disrupted by a "phantom pedicurist" who crawled beneath Doheny Library tables to paint the exposed toenails of winsome coeds. In an apparently related incident, a man police dubbed "the Phantom Cake Icer" broke into a Virginia Beach, Virginia apartment and frosted a sleeping woman's face and torso with chocolate and vanilla icing. "She looked like Al Jolson," Detective Lucian Colley reported. The woman could give no description of the culprit, Colley added, because her eyes were "pasted shut" with frosting. Arizona Telephone Company officials were still working on an epithet for the logger who mowed down 386 telephone poles with a chainsaw near Flagstaff.

• On July 29 the Reagan three-year tax cut passed by a devious margin in the House, and out of sympathy for a distraught Tip O'Neill major league baseball players grudgingly agreed to resume their labors, starting with an all-star game on August 9 in Cleveland, where hungry and thirsty fans at Memorial Stadium have been guarding their seats since July 14. As we went to press, it was rumored that the American League was on the verge of signing several National League free-agent all-stars—including second-baseman Davey Lopes, the people's choice from Los Angeles, whose batting average rose to .169 during the baseball strike—in a last-ditch attempt to win one of these memorable contests. Elsewhere, air controllers climbed down from their towers to be first at the ballpark. But despite the settlement, hunger strikes in Northern Ireland continued, and CARE packages were delivered to Poland, making it the first Communist state ever to go on welfare. As the now-forgotten Edward Gierek was fond to say, "Poland is enjoying an ever increasing importance in the world." (translation mine) —*WP*

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EDITORIAL

FRENCH SOCIALISM AT WORK

by R. Emmett Tyrrell, Jr.

At this very moment, somewhere in France, you can be sure that President François Mitterrand has his mind on a cemetery. Perhaps he is actually making one of his lugubrious processions through one. Possibly he is just returning from one. Then too he could be closeted with aides, receiving a briefing on which cemeteries are to be visited tomorrow, which legendary eminences of French socialism remain to be solemnized and wept over.

That the French socialists would be like this should have been expected. As with all ideologues—left or right—they dwell in a realm filled with lore and legend. For them reality is an inconvenience: ignored when they are out of power, rendered illegal when they attain it and their whoop-whoop is actually put to the test. Ever since Dr. Mitterrand was elected president of France in May optimists on both sides of the Atlantic have been assuring us that there would be only modest reforms. Lovey-dovey approaches to Dr. Castro? Not from the anti-Soviet Mitterrand! Vast nationalization projects? Dr. Mitterrand is not so foolish!

Well I wonder what the optimists thought when one of Dr. Mitterrand's first gestures from the Elysée Palace was to send a letter of camaraderie to Dr. Castro's island prison camp, and what their thoughts were after last month's speech by the Socialist Prime Minister Pierre Mauroy to the National Assembly? There on July 8 he outlined President Mitterrand's plan to conjure out of mere nothingness 210,000 jobs, to tax enterprise until it howls, and to nationalize major French corporations—treating them as though they were foreign exploiters carrying off the wealth of France.

What is the reason for this radical economic program? Is the French economy undergoing a staggering crisis? Not at all; the French socialists are simply complying with the glorious legend of French socialism. They are smiting the wicked capitalists. They are succoring the woebegone proletariat. They are turning the franc into confetti.

Of course the nationalization of banks and publicly held corporations cannot be justified on moral grounds. This property does not belong to the government, and the government has no right to take it over or to force shareholders to sell it. But the socialists always want to play Robin Hood to the yokels. They will give them the good things of life: free medical care, free counseling, lots of therapists and leisure—all the necessities of modernity.

Unfortunately, however, one cannot play at being Robin Hood without becoming a thief, and though President Mitterrand promises only to steal from the rich, anyone familiar with the dynamics of socialism knows that in time the socialist government will begin stealing from the middle class too, and even from the poor. Along with the socialist paradise there invariably follows inflation, economic stagnation, and the diminution of freedom as erstwhile harmless liberties begin to clash with the noble causes of the welfare state.

Nor is the nationalization of French industry economically justified. Lost in the romance and fantasy of French socialism, Dr. Mitterrand speaks fondly of his intention to wrest France from the capitalists and to turn it into, as he says, "a powerful industrial nation." Well if Dr. Mitterrand were not lost in the socialist legend, he would see that France already is a powerful industrial nation. It has one of the world's most vibrant, balanced, and resilient economies right now. For over a decade the growth of its gross national product has outpaced that of West Germany. Its rate of GNP growth has been nearly twice that of the United States. Moreover, its present inflation and unemployment remain relatively low by world standards.

What has been ignored in all the commentary over the new French

Adapted from RET's weekly column syndicated by King Features.

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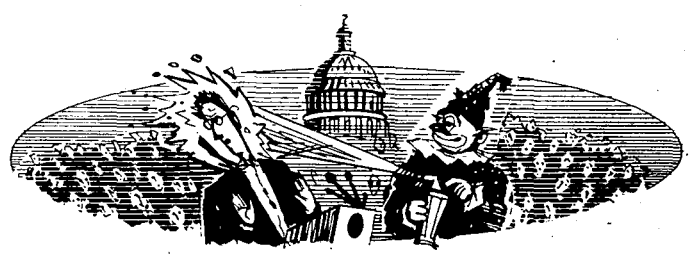
government is the nature of François Mitterrand and of French socialism. From Paris last month Patrick Wajsman, the brilliant columnist for *Figaro,* scoffed at Dr. Mitterrand's new economic program. Wajsman, who also edits the respected foreign policy quarterly *Politique Internationale,* believes that the combination of socialist economic and foreign policy delusions will mean disaster for France and great problems for the Western alliance.*

The optimists who so wrongly have predicted moderation from Mitterrand, Wajsman says, have ignored that Dr. Mitterrand is a late convert to socialism; as with so many converts Mitterrand will be fervent and dogmatic. Moreover, even if he yearned to be sober, sobriety would not be possible. His party abounds with dogmatists lost in the lore and the abstractions of their great cause. Wajsman calls the new regime the Republic of Professors, and last month's economic message made his pessimism more credible than the blah of the optimists. In foreign policy and in domestic policy, the French government is going to pursue the absurd. □

*See Wajsman's "Surviving Together," published as the European Document in the February 1981 *American Spectator.*

CAPITOL IDEAS



ANOTHER VENTRILOQUIST'S DOLL

by Tom Bethell

For the student of rhetoric, it is always a pleasure to come across one of Leslie Gelb's articles on the front page of the *New York Times.* Gelb is one of those people who have been circulating about Washington for years, moving in and out of government as the opportunity arises or the vagaries of electoral politics dictate; moving from the Department of Defense to the Brookings Institution (he was one of the authors of the *Pentagon Papers*), to the *New York Times;* then on again to the State Department under Cyrus Vance, and from there to the Carnegie Endowment for International Peace, and then back again to the *New York Times;* his pen ever at the ready, turning out a stream of articles about the "diverse realities," the complexities, and sometimes even the simplicities (on the Right) of foreign policy and diplomacy, and usually managing to convey the impression—without of course ever saying any such thing—that if U.S. foreign policy positions are going to be congenial to him, they must first of all be congenial to the Kremlin. His position may be said to be anti-anti-Communist. As far as I can detect, Communism in Gelbese is something that is neither characterized nor deplored. It is simply There, one of the great unalterable facts of life, as it were a great historical, inevitable Force—implacable and dangerous, very dangerous to oppose (as we found in Vietnam).

Let us take a look at Gelb's most recent effort—an article published on July 27 on the front page of the *New York Times* under the headline: "Soviet Is Said To Wait And Watch As Reagan's Policies Take Shape." The story managed to convey a sense of Soviet distaste for the Reagan administration's foreign policy. This of course is understandable. But Gelb also managed to convey the idea that he shared in this distaste.

As with other Gelb stories, the first thing you notice is that it is terribly difficult to tell (except for a couple of brief interludes of explicitness) whose opinions are being quoted and whether or not these are the opinions of people who have the best interest of the United States at heart. Here are some of the attributions in the story: "Diplomats from Eastern and Western Europe," "Soviet officials," "diplomats here and private visitors to Moscow," "Administration officials who specialize in Soviet affairs," "non governmental experts," "Soviet experts" (meaning "expert Soviets" I wonder?), "some diplomats," "Soviet officials and diplomats," "other experts," and "a number of Administration officials."

We also hear from Professor Seweryn Bialer of Columbia University, and former Kissinger aide Helmut Sonnenfeldt, who have a number of comments directly or indirectly attributed to them. "The Soviet leader Leonid I. Brezhnev" also puts in a dignified appearance—we learn that he "continues to let it be known that he would be prepared to meet with Mr. Reagan at any time"—but this is hardly Mr. Gelb's exclusive characterization of the man. The *Times always* calls him a leader. Had Gelb called Brezhnev "the Soviet dictator" his editors undoubtedly would have changed it back to "leader," no

Tom Bethell, The American Spectator*'s Washington correspondent, holds the DeWitt Wallace Chair in Communications at the American Enterprise Institute.*

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doubt with a reminder that dictators live in Argentina; and not, repeat *not* the Soviet Union, never mind the fact that the Soviet Union is the most completely militarized and dictated-to society in the world.

Let us look at Mr. Gelb's story in a little more detail. Here are the first two paragraphs:

> Washington, July 26—Diplomats from Eastern and Western Europe have concluded that, for the time being, Moscow has settled on a wait-and-see strategy toward the Reagan Administration rather than stepping up the level of confrontation as Soviet officials were suggesting at the beginning of the year.
>
> Soviet officials continue to tell diplomats here and private visitors to Moscow of "real dangers" and "possible confrontations" that lie ahead if President Reagan does not alter his hard-line policies. But at the same time, they continue to express the hope that the "realities" of domestic economic troubles and pressure from allies will force Mr. Reagan to moderate his course.

Mr. Gelb here subtly makes the point that President Reagan has a hard-line, immoderate policy toward the Soviets. He achieves this effect by his failure to put "hard-line" and "moderate" in quotation marks, even though at other points he does establish a separation between himself and what his utterly mysterious sources are saying by putting "real dangers" and "possible confrontations" in quotes. Also, notice the obfuscation in that second paragraph. Who does "they" refer to? Soviet officials? Diplomats here? Or private visitors to Moscow?

I called up Mr. Gelb at the *Times*'s Washington bureau, and told him that it rather looked to me as though he was smuggling his own opinions onto the front page of the paper, in a piece which is more news analysis than news, but not so labelled.

Mr. Gelb immediately became rather huffy when I suggested this. "That's a nonsense statement!" he said. "That's preposterous!"

I assured him that I would quote the entire passage in question, so that readers could judge for themselves.

"This accusation has a rather foul smell to me," Gelb went on, trying to take the offensive. I fully expected to hear the familiar accusation of "McCarthyism" coming over the line, but the diplomatic correspondent forbore. He went on to inform me that "quotes are very rarely used" when quoting—or rather paraphrasing—anonymous sources, and further "one does not have to put comments in quotes to distance oneself from them."

I don't know why Mr. Gelb thinks this, however, because of course he himself puts comments in quotes when it suits his taste to do so; thus when he *fails* to use quotes he establishes in the reader's mind (by a clever sleight of hand) the idea that the unattributed opinion, uncordoned off by quotation marks, is a truth so generally and widely accepted that he does not have to separate himself from it.

Let us turn now to the substance of Mr. Gelb's article. He is telling us—or his sources are telling us; it is impossible to tell which, just as it is impossible to tell whether these sources are friend or foe—that "if President Reagan does not alter his hard-line policies," (to quote Mr. Gelb), then "real dangers" and "possible confrontations" lie ahead (to quote Soviet officials who have been talking to diplomats who have been talking to Mr. Gelb).

Very interesting. What *are* these "real dangers" and "possible confrontations" exactly? It may be significant that Mr. Gelb nowhere relays this information from Soviet officials or diplomats here to *New York Times* readers. Why not?

It is worth thinking about this for a moment. What might the Soviets do in response to increased U.S. defense spending? Invade Afghanistan? Arm Cuba? Menace Poland? They could of course invade another country. But it is clear that this would be very unsatisfactory from the Soviets' point of view, because it would undermine still further the carefully nurtured idea that the Soviets are basically a peace-loving lot, interested primarily in détente, international trade, and the gaiety of nations.

Since the precise description of any possible Soviet response would immediately expose as false the idea that such a response would be contrary to *our* interest, it seemed to me suggestive (of something or other) that Mr. Gelb failed to mention any such response in his article.

So I asked him about it. I asked him if he knew what any such response might be. "No," he said, "because they don't mention them."

Oh dear. What then is this front-page story supposed to be about? Menacing Russian bears are flourished at the outset, but they turn out to chimerical; there's not a great deal the bears can do without strengthening the hand of the "hard-liners" here (and we wouldn't want that, would we?). So it seems the story could very easily have been "played" somewhat differently. As Gelb writes in a later paragraph:

> Six months ago, the standard line of Soviet officials and diplomats was that a hard-line Reagan foreign policy would lead rather quickly to increased Soviet activity against the United States. They talked specifically of a fundamental reassessment of policy that would be made at the Communist Party Congress in February.

But, according to Prof. Bialer in the next paragraph: "The Soviets decided to keep some semblance of a relationship with the new Administration . . ." And so it appears to me that the story could have been written a little differently, as follows: "Soviets Back Down in Face of New U.S. Firmness." Gelb's data would have justified such a lead. Perhaps, however, such a view of the world would be rather uncongenial to Mr. Gelb.

Prof. Bialer was then quoted as saying something else very interesting: "They [Soviet officials] believed that the Reagan Administration was serious about an arms buildup, and they were terribly afraid of an arms race they could ill afford."

I have often thought that what is alarming about an arms race to foreign policy commentators such as Gelb is not that we might lose it; but that we might win it. "There must be a balance of military force between the two superpowers," Gelb has written elsewhere. But why must there? Why not just build up our own military force, and subject the Soviet economy to an intolerable strain in trying to catch up? That's what the Left calls "simplistic" thinking, I know, but it is interesting to see the thought endorsed by the Kremlin (according to a professor). We should never forget that the U.S. economy has far more vitality to it than the Soviet economy.

Any number can play at the Unattributed Source game. I decided to call someone I know, a Senior Administration Official, and asked him about Gelb's article. (But let me at least label the ideology of my interviewee: He is resolutely anti-Communist.) He had read the Gelb article and he said: "What Gelb is trying to do, undoubtedly, is disguise the fact that he is talking to all his old pals from the Carter years—people like Marshall Shulman, no doubt, and one or two of Gelb's old deputies who are still hanging on at the State Department. An example might be David Gompert, who has stayed on as deputy assistant secretary of State for European Affairs under Lawrence Eagleburger. He was Gelb's deputy when he was director of the Bureau of Politico-Military Affairs under Cyrus Vance."

As I say, Gelb's articles are always well worth reading. But read them carefully, or not at all. Try to figure out whose voice you are hearing, that of the puppet, or the ventriloquist. □

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Robert Dawidoff

THE LINGERING IRRELEVANCE OF HENRY ADAMS

Emerson ended up on samplers in parlors.
Adams may end up as guru to American snobbery.

Henry Adams has more readers now than he ever did before, and their interest in him, sometimes scholarly, is not strictly academic. He is the Emerson of modern American intellectuals, whose mistakes as well as whose accuracy, whose confusions as well as whose clarity compel attention. We are as interested in him as we are in his work; indeed, we sometimes can't tell them apart. Thinking about why this should be and reading some recent books about Henry Adams leads one to a series of surprising encounters with our culture. For if the Adams family was an honorable clan of the antique American republic, Henry Adams lived his most interesting days in the American empire, democratic, no longer essentially republican, conducted less by individuals than *en masse*. He wrote about how one ought to regard this big change in the American regime and how one ought to understand its having come about and how Henry Adams experienced it. We read him because we sense underlying so much of what he wrote an interest in the coming into its own of a world in which we inescapably live.

Henry Adams didn't accomplish very much, however much and however well he wrote. He recommended himself to his rather private public as a case of miseducation, a study in disappointment, an instance of failure. The charming puzzle of his irony cannot alter the fact that in calling himself unfitted to his times he was saying wonderfully and first something we would have to say about him. The key to Adams's experience of the democratic world was not power but knowledge. The curious and veiled question of his writing and his life concerns how completely knowledge can approach or even make do in the absence of power.

By temperament and by situation, Adams found himself outside the field of American favor in his day. The advantages of being an Adams had become social and intellectual. Political power represented different interests, indeed different kinds of interests, from those it had when the Adamses found civic fame; stubborn independence, a regional base, a staunch record of expert public service did not carry the same force in the Gilded Age that they did in 1796 and 1824. Henry Adams understood this and acknowledged that politically his way was pretty much blocked. It was not merely that Adams was reserved, intellectual, arrogant, short, Bostonian, Adamsy, and unpopular; he lacked the motives to do what one had to do to get ahead in American political or economic life. His ancestors may have been awkward popular politicians, but ambition and a sense of duty made them persevere at least in trying, something Henry Adams shied at doing. He did not understand the zest with which a man might take up politics or business. His clever pictures of the politicos and tycoons of his day lack even the minimal sympathy for his subjects that one might expect, and his versions of his ancestors reduce their ambitions to the abstract scale of their virtues. One doesn't sense that he could imagine the pleasures a Blaine, a Morgan, a Roosevelt, or even a Lodge might have taken in their own bloated, blustering ways.

Adams saw politics and business from an individualist point of view, and his conservatism stemmed in large part from his view that private property and the state should afford the individual protection; he had a corresponding republican horror of the aggrandizing monopoly and encroaching state that might impose themselves on the individual, conferring benefit and identity. Adams's historical writings betray his sympathy for states' rights republicanism, even as he denounced its mischief and declared its day to be done. He blamed John Randolph for corrupting republican doctrines with the defense of slavery and the Essex Junto for tainting states' rights with their treason. Though he understood the demise of the old principles and the inherent weaknesses that unfitted them for nation building, he did not lose altogether his taste for what republicanism might have made of a democratic nation: At the core of his inaction, Adams cherished a republican conservatism.

Henry Adams wanted most of all not to be misunderstood. He had quickly discovered that the paths to power disgusted him. His "failure" took root in disdain as much as in disappointment, and thus deflected without exhausting his energy and ambition. Adams aimed instead at knowledge. He knew as much of everything as

Robert Dawidoff teaches history at the Claremont Graduate School and is the author of The Education of John Randolph *(Norton), winner of the Allan Nevins Award of the Society of American Historians.*

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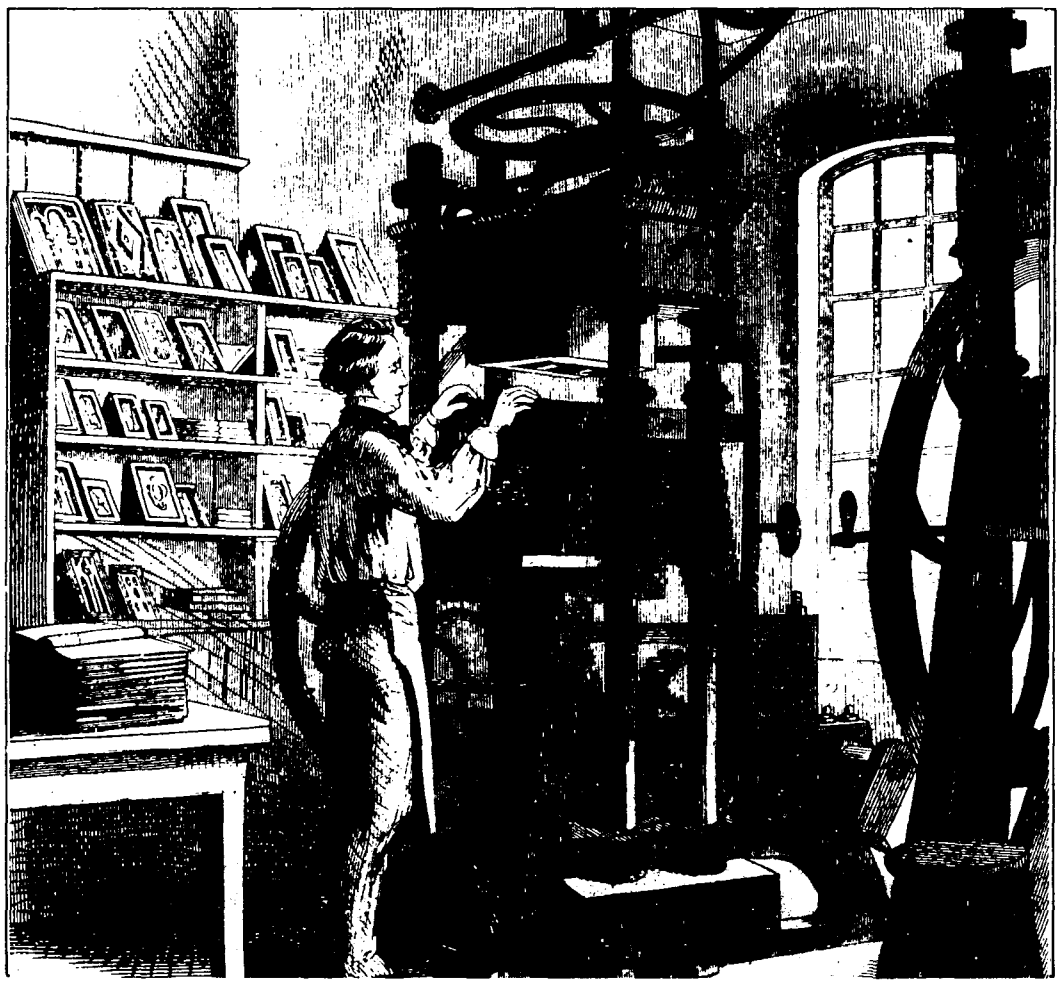
anyone could and as many of everyone who mattered. He travelled the world over, turning his life to literary account. He lived at the center of a society which posed a sterling alternative to America's bruising elite. His mannered and exclusive life and his glittering associations and friendships with the interesting of all continents protected him from the vulgarity he loathed. He never troubled to keep secret, only to keep private, this republic of style with its aristocracy of talent, wealth, and wit. Although a colony in domestic exile, this private utopia everywhere touched power and sometimes coincided with it. Its principles offered a picturesque challenge to democratic corruption. Across the street from the White House, Adams and his un-commonwealth flourished, taking advantage of American inattention, liberality, gullibility, and snobbery.

Adams's *History of the United States During the Administrations of Jefferson and Madison,* the nine-volume work that occupied his middle years, looks implicitly to the contrast between the early republic and the centralized, swaggering corruption of the early empire. This *History* has its admirers, though at the time of its publication they were few. In *Henry Adams: The Myth of Failure*,* William Dusinberre argues that the *History* is Adams's great work, written during the best years of his life, and that its failure to score and the death of Mrs. Adams together caused Adams to abandon history for irony and the luxuriant, falsifying myth of his failure.

*University of Virginia Press, $20.00.

Dusinberre's point is that we should read Adams alongside Gibbon and Macaulay. He makes it respectable for a healthy-minded soul to prefer *History* to *The Education of Henry Adams* or *Mont Saint-Michel and Chartres,* but he cannot rehabilitate it into a much-read classic. American historians presumably know how good it is; indeed, Dusinberre relies upon the subsequent writings of professional historians to vindicate Adams's reputation as a historian. But Dusinberre's aim at a general reading audience is less true. Much respected, often consulted, wonderfully good, perhaps the finest American history, Adams's *History* is not a popular classic. As Adams understood, a popular book must have a non-professional constituency, and the influential American constituencies of his time, powerful and popular, ignored his *History*. A history must serve its readers with explanations that suit the horizons of their curiosity and with writing that entertains and stirs them. Henry Adams satisfied a curiosity more exacting than the American reading public maintained and wrote in an English more difficult than generally amused them. His explanations of events substituted the Tocquevillean scheme of democracy and the immense, ordered detail of "scientific history" for the melodramatic home blend of Democracy the Americans had good reason to prefer. Being in general still convinced that History was on their side, and hence expecting history also to stand with them, they probably sensed in Adams's work more complexity than their right-minded optimism required. They were Bancroft's still.



Adams's *History* may yet acquire an audience, although not in the way Dusinberre expects. There are so many historians nowadays that even demanding histories are bound to thrive. Nevertheless, the *History* suggests a citizenship, an allegiance to Adams's lengthy picture of a brief 16-year span, a loyalty to the sufficiency of historical explanation, to a creed that undermines providential and patriotic reasoning. Useful, too, is an ironic, distanced view of the growth of democracy. A democratic lack of faith in democracy may perhaps approach Adams's Tocquevillean view of its development, but the match is unstable. The *History* marks a phase in Adams's lifetime subject: He sought to understand our national arrival at what he considered a debauched, materialist, and painful point in history. His modern audience would have to share some part of his perception of an America in the grip of forces, although it would not have to equal the consciousness or conscientiousness of his view. In a way, the *History* makes difficult reading because it offers such a detailed account and such a resisted indictment. Adams's *History* examines a critical epoch in American history, looking for the seeds of a future condition, a condition his later works take for granted. Perhaps that is why the later Adams handed down a severer judgment of America's distress and offered less exacting reasoning. The *History* represents not only a fruitful period in his own life but a rare moment of balance between his optimistic and pessimistic renderings of our past and future. History in this instance accomplishes the reconciliation of his hopes and fears. *History*'s very moderation, its detachment, except where the family honor is engaged, may keep it from a reading public hungry for the statedness of conclusion that characterized his late works. There would be a time when Henry Adams would spend his energies trying to locate metaphorically and mystically the force and meaning of America's falling off; then he would turn hilariously, hysterically to estimating its moment of impending calamity.

Underlying the *History* is hindsight of a pointed sort. Adams seems to be saying something like "if it had been known then, what I know now." He read the evidence of the Jeffersonian past to discover the drift in the story, as well as to establish the history itself. This lends urgency to the writing, which is reflected in the versatile and elastic syntax, the characteristic Adams attempt to make the simple-minded American English past tense sustain the complexity of scientific history. The Adams past strives to discover a historical moment which has in turn its own past and future, which are distinctively part of our past, if only we pay strict enough attention. Adams hoped to show what could have been known in 1800 and 1815 without intruding with what he himself knew in 1876. He cultivated a sophisticated sus-

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pense in order to sharpen the reader's awareness of the complexity of history and to free the past from the tyranny of the historian's moment:

The town promised hopefully to prove equal to its task. Nowhere in the Union was intelligence, wealth, and education greater in proportion to numbers than in the little society of cotton and rice planters who ruled South Carolina; and they were in 1800 not behind—they hoped to outstrip—their rivals. If Boston was building a canal to the Merrimac, and Philadelphia one along the Schuylkill to the Susquehanna, Charleston had nearly completed another which brought the Santee River to its harbor and was planning a road to Tennessee which should draw the whole interior within reach. Nashville was nearer to Charleston than to any other seaport in the Union, and Charleston lay nearest to the rich trade of the West Indies. Not even New York seemed more clearly marked for prosperity than this solitary Southern city, which already possessed banking capital in abundance, intelligence, enterprise, the traditions of high culture and aristocratic ambition, all supported by slave-labor, which could be indefinitely increased by the African slave-trade.

If any portion of the United States might hope for a sudden and magnificent bloom, South Carolina seemed entitled to expect it. Rarely had such a situation, combined with such resources, failed to produce some wonderful result . . . but although the future of South Carolina might be brilliant, like that of other oligarchies in which only a few thousand freemen took part, such a development seemed to diverge far from the path likely to be followed by Northern society, and bade fair to increase and complicate the social and economical difficulties with which Americans had to deal. [Charleston in 1800; Volume One, Chapter One]

Until 1815 nothing in the future of the American Union was regarded as settled. As late as January, 1815, division into several nationalities was still thought to be possible. Such a destiny, repeating the usual experience of history, was not necessarily more unfortunate than the career of a single nationality wholly American; for if the effects of divided nationality were certain to be unhappy, those of a single society with equal certainty defied experience or sound speculation. One uniform and harmonious system appealed to the imagination as a triumph of human progress, offering prospects of peace and ease, contentment and philanthropy, such as the world had not seen; but it invited dangers, formidable because unusual or altogether unknown. The corruption of such a system might prove to be proportionate with its dimensions, and uniformity might lead to evils as serious as were commonly ascribed to diversity. [from the concluding chapter, Volume Nine, Chapter Ten]

Adams presided over that terrible moment when historians began to lose their confidence in history's sweep and commenced monographically, professionally, and collectively to attend to the minute. As Adams came to doubt the ability of the intelligent narrative, grounded only in fact and the principles of its inquiry, to make a sound statement that people might like and also understand, he seems to have lost interest in an audience beyond his own sort. Subjective, anarchic, heated, Adams ensconced in the focal place of those works by which he is best known, his changed motto: "if I might only know now, what I knew then . . . "

R. P. Blackmur, whose collected essays on Henry Adams have recently appeared,† directs our attention to the later Adams. Reading these powerful, uneven essays, one senses a continuation, a participation in Henry Adams's thinking. Blackmur's is the Adams we somehow take for granted, writ on a smaller scale. Here the pain and the complexity, the disappointments and the futility, so clear to the sophisticated and the sophomoric if not always to the healthy minded, take their stand. But lacking Adams's good and bad humor, Blackmur makes less of Adams as a subject than Adams did.

Henry Adams did not set his face against the modern. He wanted to pick and choose among the latest things and conditions. He doubted the utility of the older fashioned knowledge in the new and modern worlds, but not his own fidelity to it. Since traditional culture did not appear to him sufficient to explain what was happening all about him, Adams looked elsewhere for explanation and made the wisdom of the ages something of a private, aesthetic passion, a matter of taste in a world in which taste might be a sign of virtue. In public as in philosophical matters, Adams did not confuse traditional learning with traditional wisdom. He included the modern in his canon, tried out its organizing notions, used its science as his metaphors, and so quickened history to the speed of its lights as science continually revised itself. His *Education,* of course, and his other later writings puzzle out the connections between the humane and the material sciences. The famous chapter "The Dynamo and the Virgin" is but one of Adams's attempts to take account of the incredible phenomena of his age:

Then he showed his scholar the great hall of dynamos, and explained how little he knew about electricity or force of any kind, even of his own special sun, which spouted heat in inconceivable volume, but which, as far as he knew, might spout less or more, at any time, for all the certainty he felt in it. To him, the dynamo itself was but an ingenious channel for conveying somewhere the heat latent in a few tons of poor coal hidden in a dirty engine-house carefully kept out of sight; but to Adams the dynamo became a symbol of infinity. As he grew accustomed to the great gallery of machines, he began to feel the forty-foot dynamos as a moral force, much as the early Christians felt the cross. The planet itself seemed less impressive, in its old-fashioned, deliberate, annual or daily revolution, than this huge wheel, revolving within arm's length at some vertiginous speed, and barely murmuring —scarcely humming an audible warning to stand a hair's-breadth further for respect of power—while it would not wake the baby lying close against its frame. Before the end, one began to pray to it; inherited instinct taught the natural expression of a man before silent and infinite force. Among the thousand symbols of ultimate energy, the dynamo was not so human as some, but it was the most expressive. [*The Education of Henry Adams,* Chapter XXV]

But in most cases, as the velocity of history increased, tied to the ever changing artifacts of modernity, the disjunction between a traditional view of the accumulated past and the sudden present grew. This chasm would render the past unknowable unless it were to be constantly reinterpreted in light of the present. Adams recognized that the casualties of this reinterpretation would include most of the values he cherished, and so he settled on a peculiar compromise with the modern world. He agreed that history and the public present should be viewed in modern terms: the phase theory, his various

†*Henry Adams,* Harcourt, Brace, Jovanovich, $19.95.

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attempts to explain things as they had come to be in scientific terms; his acceptance that the world might dictate to one how it should be viewed. The public history of each age would therefore, by turns, be added to the body of inherited learning and would, by turns, become inaccessible to the ages following. The exemplary private life in each age, however, might still be the province of timeless, inherited wisdom. The gentleman and connoisseur lingered privately in a modern age that superannuated him with his apparent connivance. That is why his ironies cemented what they only appeared to deny. The example of Henry Adams helped Blackmur to look around from a private world with which the critic could identify, a world of distinction and leisure intelligently and magnificently occupied, cosmopolitan and hard-working, old-world American. Adams appealed to Blackmur almost sentimentally as the last available figure to know what men once knew and still to know something of what modern man had to face.

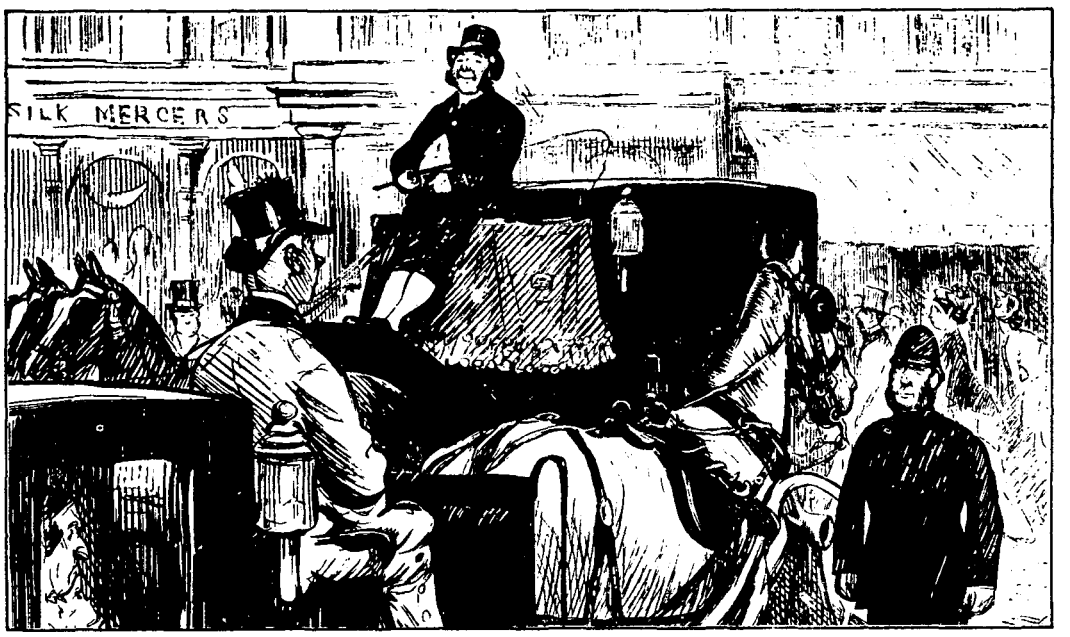
Nobody studies in order to become disillusioned. Disillusion happens, sometimes because the world does change and often because what one knows no longer holds. In particular, what one has had to sacrifice to be modern has been hard to let go, and the accomodating terms the modern sensibility offers to the cherished traditional can be humiliating. The reduction of the glory of civilization to taste and imagination proves especially hard for those whose allegiance is to more old fashioned kinds of knowledge and the ways of living they demand. Some people choke on the weasel words that regard faith and poetry and civility and all the undemocratic unmaterial as a private matter of sensibility or as *humanities* in need of saving. Can the world they imply really have gone so utterly by? Henry Adams kept saying yes, it had, and he kept on pursuing old things, saying the pursuit was private, making case after clever case for the relevance of what he knew and kept finding out. He took care to suit up his observations in fancy modern dress. If he made the Virgin a symbol in the absence of faith, he did the same with thermodynamics. And his metaphors have a power almost as urgent as literal truth.

In some ways, educated Americans stick in worn grooves of Henry Adams's making. His disillusion with writing history abounds. Theory as an explanation or perhaps a bridge over the void between past and present shadows the contemporary intellectual. Torn by an attachment to the things and stories, the art and thinking of past ages, he resorts to theories, ever more complex, ironic, obscure, and personal, to substitute for the coherence he imagines the things he cherishes to have come from. Theory softens the harsh inapplicability of that world of accumulated wisdom to this world of ours. Contemporary theory characteristically explains or explains away the apparent tendentiousness of traditional forms of intellectual endeavor, especially non-applied, individualist ones. The modern theorizer is less likely than was Adams to indulge ironic contemplations of the genuine insignificance of what he has to say. He is even less prone to the composed, decadent enjoyment of anomaly preached by Santayana. He will share in Adams's earnest figurative activity. For Adams meant his metaphors to accomplish some feat of understanding. He intended the Virgin to count again in a world governed by the laws of force and physics. But what Adams resorted to out of manic desperation, we turn to out of habit.

Henry Adams may encourage his reader in unlucky habits. The study of his doomsday science may make one liable to accept its disappointed, elitist premises. Disappointment in the American majority led Adams to his language, but his writing is not a license for us to simulate his alienation, for we do not commonly share in the experience that alienated him. Adams's thinking without its descriptive aspect loses much of its authority. The real hurt of a life denied its highest ambition may dignify his wrongheadedness. One may, however, absorb his wrongheadedness more easily than one may master his life.

We may have learned, like Henry Adams, to stew on certain aspects of our lives. Some part of the nation, prosperous and educated, may readily see the People as Other. They do not always honor what one might like them to; in particular, they do not honor one by distinguishing one from them. The kaleidoscopic stages through which the relationship of the American elite to the American people has developed, the confidence of control, the pastoral of sympathy, the disillusion of disagreement, and all the gradations between, happen to all political groups alike. Henry Adams represents a strain in American life to which education, not ideology, appears to expose if not entitle one. More Americans sense the attractions of a cosmopolitan private life with taste elevated to the status of duty. This they conceive as an alternative to a public, working life that degrades these private sensibilities. This attitude leads, among other things, to the translation of moral into aesthetic sensibilities and the relegation of such matters to an ever more important private sphere. The private world of family and friendship and association this inspires draws attention and energy away from an increasingly alien public sphere. The principles of private association narrow as those of public association generalize. One observes and even acts in the huge public arena with a reserved sense of connection and responsibility. Henry Adams isn't to blame for this, of course, but his popularity may reflect it and a certain reading of him may encourage it.

There is a case to be made that when Adams complained that his education did him no lasting good and a great deal of harm, he was saying that, however contented he might be with private things, they made a poor substitute for public ones. Adams did not necessarily consider art the equal of power or imagine sensibility the equal of explanation. Although he has finally gained an audience, he could not, as Henry James could, give up America in order to imagine it. He could not accept fiction and art in token of politics and economics. He never abandoned his view of the White House, never strayed except briefly from as close to power as he could get. When he thought he had found another source of power, dynamic or medieval, he pursued it. Most of his famous notions offer an alternative to political and economic power as they existed in his own day. Conspiracy, corruption, the workings of history, his changing concepts of force and phase, the dynamo, the Virgin, the mystic orient, the dualities of masculine and feminine, uniformity and multiplicity—all suggested themselves to Adams at moments in his career as explanations for what had happened to life. They had in common that they reduced to comparative insignificance



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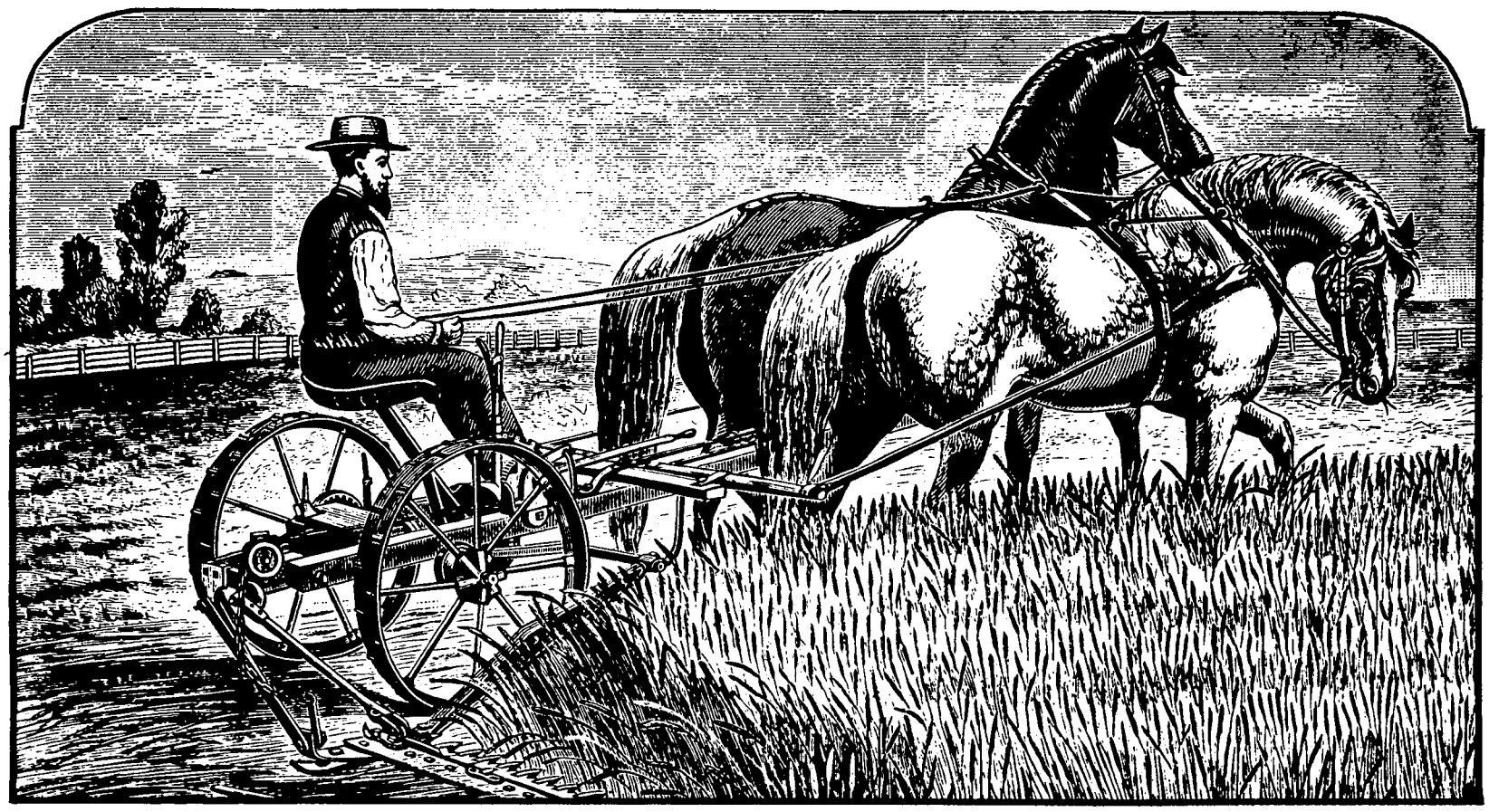
the acknowledged workings of that political and economic system in which he felt himself unfitted to play the leader's part. Unsurprisingly, they shifted power to the person with a mind keen enough to understand their workings; elections and popular exertions had nothing to do with it. Adams knew what had been sacrificed in forgoing public ascendancy. Although he knew himself not meant for it, he refused to pretend that he only pretended it didn't matter. He felt this as the pain of democracy to the end and wondered why.

One intellectual habit in America has been to take up an Adamsy tone about democracy. It has become common to regard political life with easy contempt, at best a spectator sport with gambling allowed. Along with sycophancy, office seeking, reformist and radical crusading, the high-toned alienation that observes all of this and theorizes about it has been much in evidence. Writers about Adams do not commonly ask how much one must resemble him to share his views, although they usually make it clear how much his views reflected his eccentric experience and how very much his the views were. Does Adams teach us to criticize ourselves as well as to bewail what we take to be our destiny? Adams's status as an accepted prophet of modern America's raised consciousness slights such an issue. Just because he was an Adams and backed by a tradition doesn't mean that his republican despair can be the proper measure of our democratic confusion. Indeed, Adams was such an engaging writer that to study him seems to lead to some sharing of his views. Even more seductive than Adams's thought is his poised, tense relationship with democracy. Certainly writers like Blackmur take courage from his example; but maybe they shouldn't. I wonder if we dare learn Henry Adams's lessons from him. So much, after all, has changed and if the conditions Adams remarked have grown worse, much of the vantage from which he criticized them has disappeared. The luxury at our command will never be as exclusive as was his. Our trips abroad cannot teach us to know the world as he could know it in the late nineteenth century. Times really have changed. Our compromised grandeur does not let us in on his secrets. There is an insidious nostalgia in the common reading of Henry Adams that confuses his times with ours, when much of the point of what he wrote was that the times that made him were gone and that new times meant new men. And so they have. Even if one simply longs for those old days unencumbered by delusions of their restoration, he must still beware the complex longing that identifies with Adams or other opulent turn-of-the-century figures. They did not bear the guilt of the American empire they envisaged nor did they suffer from the perception of injustices democracy visits upon the consciences of its fortunate. We long for their alienation, relatively untouched by the qualms of social conscience, bereft of thoughts about how much of our social conscience goes to the heart of our social life but not theirs. The republic and a kind of American republican aristocracy readied Henry Adams to be uniquely democracy's metaphorical victim. We ought not to look in our lives for his sacrifice.

No doubt there is an Adams party of sorts. A fair number of Americans have enough money and advantages to discern in themselves a difference. But a university education, a profession, a wine cellar, and a taste for art do not an honest Adams make. Nor do they excuse us, as they seem to have excused him, from the social responsibilities democracy imposes on its own. We cannot escape democracy, even if Adams did. Emulating his ultimate despair of things, we not only miss his point but mislead ourselves into thinking that because we share so many of his interests and concerns, we have come to them in a way that truly distinguishes us. He understood that the distinction in his case was something of a stigma that even exclusivity and irony could not dispel. We seek the stigma that marked his suffering. At table, Henry Adams liked to insist that large things be talked about in small talk and small in large. We have perhaps too easily taken up this light, unhappy habit without understanding what unhappiness forced Adams to it. We do talk about big things as if they were little and the little loom too big. Our intellectual habits are bad; we comfort ourselves with watered-down, decadent pleasures and despair of our allegiances before they are even tried. However good the books by and about Henry Adams are, his example can only continue us in our ruinous habits of self-deception and petty sophistication. Emerson ended up on samplers in parlors, Adams may end up by becoming guru to American snobbery. At a time when we share so much of his unease and discontent, a considered look at Henry Adams might do some good, not to strengthen us in attitudes we haven't earned but to see in this last republican and first imperial American a clue to our condition. His education should be instructive. His master Tocqueville warned that a democratic people "are more prone to become enervated than debauched." □



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John Podhoretz

PHILIP ROTH, THE GREAT AMERICAN NOVELIST

What do the Jews want?

Judaism, as everyone knows, is no longer a religion: It is an *issue*. "The Jewish question" was of course hotly debated in the nineteenth century, but at that time the problem with Judaism was inextricably linked to religion and to the religious practices which led Jews to adopt a strange sartorial style and a closed community. Now, however, as Judaism itself grows more vague, the "Jewish question" becomes an entirely opaque concept, coming down basically to the commitment Diaspora Jews feel to the State of Israel and even down to the "rights" of Israel itself, which, despite some rather strong democratic tendencies, still troubles a great many nominal liberals merely by being around. Judaism is an "issue" to be "dealt with": The assumption here is that Jewishness requires some sort of Lutheran justification, as though in this day and age there had to be some reason "why" Judaism should still exist. Jews ignore the faith more and more; their only concern, it seems, is with the liberalization of the religion. Women who have never stepped inside a synagogue write fierce articles demanding women rabbis; Reform Jews make arguments for the complete abolishment of the dietary laws on the grounds that they were originally established to counteract diseases like trichinosis that we no longer have to worry about. There is a desire to soften restrictions, to soften Judaism itself; no Jewish restriction really binds the modern American Jew, but still he wishes for license because he does still, in some way, feel bound.

Alex Portnoy, the protagonist of Philip Roth's *Portnoy's Complaint,* rails and rails against Judaism and Jewishness, against the hypocrisies and neuroses forced upon him by his Jewish parents, and yet, when he proposes to the girl he loves—a *shiksa,* of course, that is, a Gentile—he says: "And you'll convert, right?" "Why would I want to do that?" she replies, and that is it between them. Alex rails and rails still more but cannot, in the end, answer that one question: *Why did I ask her to convert? Why is the one thing in the world most hateful to me so important?*

This is the real "Jewish question" of our day: Why do American Jews still feel like Jews when they do not have to? It is the question Philip Roth has been trying to answer for the last twenty years. He has not succeeded, but in his pursuit of the answer he has become the premier chronicler of modern Jewish life. Bernard Malamud and Saul Bellow are better writers, but they are, in a sense, bound to the past and to a language—Yiddish—that has no relevance to authors of the younger generation. They are also oddly sanguine: One gets the feeling, reading their work, that for many different reasons Jews are better and richer than others. Roth, however, writes about Jews with a nagging and persistent plaint not unlike Freud's about women: "What do Jews want?" His Jews—the Patimkins of *Goodbye Columbus,* the Herzes and Wallachs of *Letting Go,* the Portnoys, Peter Tarnopol of *My Life as a Man,* David Kepesh of *The Professor of Desire* and *The Breast,* and Nathan Zuckerman of *The Ghost Writer* and, most recently, *Zuckerman Unbound**—are the best portrayed in modern fiction. Roth knows these people—they are, in fact, most of what he knows—their way of talking, their way of thinking, of treating one another, of eating, of dressing, of decorating. We can see this best in the opening pages of *The Professor of Desire,* set at the Hungarian Royale, a Catskills hotel. The Royale is the summer residence of the Kings of the dry-goods business—the Rollmops King, for example (who makes an appearance in *Zuckerman Unbound* as well). The entertainer, Herbie Bratasky, a handsome young third-rate drummer, is the focus of attention:

> Our guests appear to be nearly as mesmerized by Herbie's shameless exhibitionism as I am. A newcomer will have barely settled into a varnished wicker rocker on the veranda before one of the oldtimers arrived from the hot city the previous week starts giving him the lowdown on this wonder of our tribe. "And wait till you see the tan on this kid. He's just got that kind of skin—never burns, only tans. And from the first day in the sun. This kid has got skin on him right out of Bible times.

And, sitting on the veranda, the guests wonder whether Herbie's eardrum problem, which has conveniently kept him out of World War II, was self-inflicted:

John Podhoretz is film critic of The American Spectator. *His fiction has appeared in* Harper's.

*Farrar, Straus, and Giroux, $10.95.

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"Please, a kid who dresses like that right down to the key chain, and with a build like that that he works on day and night, plus those drums, you think he gonna do himself serious physical damage just out of spite to the war effort?" "I agree, one hundred percent. Gin, by the way." "Oh, you caught me with my pants down, you s.o.b. What the hell am I holding these jacks for, will somebody tell me? Look, you know what you don't find? You don't find a kid who is good-looking like this one, who is funny like he is too. To take that kind of looks, and to be funny, and to go crazy like that with the drums, that to me is something special in the annals of show business." "And what about at the pool? How about on the diving board? If Billy Rose laid eyes on him, clowning around in the water like that, he'd be in the Aquacade tomorrow."

But young David Kepesh knows what the guests don't; Herbie's best work is done in private, imitations of a flushing toilet and breaking wind. One can see the love with which Roth has written this passage, and it is among the gentlest descriptions to be found in any of his novels. Yet he is, and always has been, considered an anti-Semitic Jew by many of his own faith, a harsh and cruel caricaturist of a people that so recently had nearly been decimated simply because they existed. And it is an accusation that has hurt and stung Roth; he has complained about it in interviews for many years and has turned to it explicitly in his two latest, nakedly autobiographical novels, *The Ghost Writer* and *Zuckerman Unbound*.

Now, one of Roth's major limitations as a novelist is that he cannot escape himself; most of his books deal directly with Philip's divorce, Philip's affairs, Philip's crazy friends. And in the "Nathan Zuckerman" novels, he seems to take it for granted that we wish to know all about his first literary success, the night he spent with Bernard Malamud, what he did with the million dollars he earned from *Portnoy's Complaint*. Yet in these two latest novels he fascinates, partly because of their virtues and partly because one is eager to hear his side of the story.

The Ghost Writer is the story of a night spent at the house of the great Jewish short-story writer, E.I. Lonoff (Bernard Malamud, in fact, although I think some elements of Henry Roth, the author of the brilliant thirties novel *Call It Sleep* are included as well). Nathan has come to visit during a crisis in his life; he has just, at the age of twenty-three, written the best story of his life, "Higher Education" (read *Goodbye Columbus*), to which his father has reacted violently. "Nathan, your story, as far as Gentiles are concerned, is about one thing and one thing only . . . . It is about kikes. Kikes and their love of money. That is all our good Christian friends will see, I guarantee you." He comes to Lonoff, he says frankly, to find a new "father," one who will not react this way to work he knows to be good and true.

Around Lonoff's house that weekend flits Amy Bellette, a striking young foreigner who bears some resemblance to Anne Frank. In a wild, beautifully constructed fantasy that, as Pearl K. Bell has said, "trembles on the edge of reality," Nathan decides she *is* Anne Frank, who having come out of Auschwitz alive, has concealed her identity from the world in order to let her diary serve as the great testimony of the Holocaust. He sees her as his salvation: "Oh, marry me, Anne Frank, exonerate me before my outraged elders of this idiotic indictment! Heedless of Jewish feeling? Who dares to accuse of such unthinking crimes the husband of Anne Frank!"

So, *The Ghost Writer* is essentially the story of a young writer with a bad conscience. Has Nathan, in pursuit of literary excellence, slandered his people? He looks to Lonoff, secluded in the Berkshire hills for many years, as his example: Like Lonoff, he decides, he will remove himself from the world and devote himself to "art." He discovers, however, that sacrificing oneself to art is just that: a sacrifice. Lonoff has ignored his family and his wife in pursuit of his "calling." We return to the old truism: The writer must write about what he knows to be true, and everything else in his life must come after. This is Roth's defense.

Yet apparently he did not convince himself in the writing of *The Ghost Writer*, for he has returned to the very same subject, thirteen years after that night with E.I. Lonoff, in *Zuckerman Unbound*. Nathan has just written an outrageous novel called *Carnovsky* (yes, *Portnoy's Complaint*), which has, suddenly, made him rich, famous, and even more seriously subject to charges of anti-Semitism. "This letter is written in memory of those who suffered the horror of the Concentration Camps . . . " runs some of his correspondence. A man keeps calling him on the phone demanding $50,000. If Nathan does not remit the cash, he says, he will kill Nathan's mother. The blackmailer is a man with high literary ideals, but he knows where to hit Nathan hardest: "Have a heart, Zuck. Haven't you given her enough misery with this book? Don't make it worse than it already is. Don't make it so that she regrets the day you were born, sonny." Nathan's mother is not the castrating mother of *Carnovsky*, but is, instead, a nice old Jewish lady. (Are we to infer that this is true of Roth's mother as well? Yes.) *Zuckerman Unbound* is about a great many things—celebrity, money, and the ever-popular conjunction and disjunction of life and art—but again, it is really about Jews, and the Jewish family in particular. In more savage days, Ronald Nimkin of *Portnoy's Complaint* commits suicide at the age of fifteen, leaving pinned to his body the following note to his mother: "Mrs. Blumenthal called. Please bring your mah-jongg tiles to the game tonight. Ronald." In *Zuckerman Unbound*, Nathan's father lies dying in a Miami hospital while Nathan rattles off to him the current conception of the origin of the universe—"The universe expanding outward ever since, the galaxies all rushing away, out into space, from the impact of that first big bang"—and leaves his writer son with but one word: "Bastard," he says, and dies. Dr. Zuckerman accused the younger Nathan of delivering the Jews into the hands of the anti-Semites; now Nathan is left with the fear that *Carnovsky*, that harsh dissection of the Jewish family (and, if we may extend the parallels to *Portnoy's Complaint*, of the Jewish father as a man literally constipated from humiliations suffered at the hands of the *goyim*), has been the cause of his father's demise. From Ronald Nimkin, killed by his mother, to Victor Zuckerman, killed by his son: *What is it with these Jews?*

This "Jewish question" that lies at the bottom of all of Roth's work is what has brought charges of anti-Semitism on his head. There is something in it to offend everybody: The die-hard assimilationists bristle at the thought that there is any difference between the way Jews behave and the way everyone else behaves; those proud of their Jewishness see Roth as a vulgarizer who understands Jews only as masturbators obsessed with the consumption of fruit; and those (among whom I have to include myself) who bounce around between these two poles and just cannot escape the thought that there is, for all Roth's brilliance and dazzle, something *wrong*.

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The brilliance and dazzle present in all of Roth's work have often been underestimated. This may seem like an extraordinary statement, considering the extravagant praise Roth has received since his debut in print. Yet he is, I think, underrated, and often has been praised for the wrong reasons: for his willingness to speak frankly about sex and masturbation (Roth as liberator), his "honesty" about Jews (Roth as fearless investigative reporter), and his black humor (Roth as pop-icon Lenny Bruce). What is rarely, if ever, noted is that Roth writes an English sentence better than almost anyone else alive, and that behind the brilliant comedy lies a serious concern with important matters—and when dealing with important matters, he is never vulgar. At the end of *The Professor of Desire,* David Kepesh, harmless academic but sexual lunatic, finds domestic bliss with a good, solid (and non-Jewish) girl, yet feels his affection growing dim and his desire for other women and adventures rising again, all during a weekend in which his elderly father and his father's friend have come for a visit. David suddenly decides his father is going to die in his house, and buys, surreptitiously, an oxygen machine, in case anything should go wrong. Kepesh's parting words to the reader:

> But even while I suck in a desperate frenzy at the choicest morsel of her flesh, even as I put all my accumulated happiness, and all my hope, against my fear of transformations yet to come, I wait to hear the most dreadful sound imaginable emerge from the room where Mr. Barbatnik and my father lie alone and insensate, each in his freshly made bed.

Even the reader who knows that the "transformation yet to come" is David Kepesh's Kafkaesque metamorphosis into *The Breast* (surely the most ill-conceived—repulsive, to be truthful—thing Roth has ever written) can see here, in this beautiful sentence, a startling compression of David Kepesh and all his fellow travelers in the post-liberated world: Desire and death intermingle, and "love" is nowhere to be seen. It is, instead, to be fled from.

What I am trying to say is that Roth deserves attention not because he makes a scene about Jews, nor because he writes about sex and masturbation in a shocking way, but because he is a good writer and a serious man. One notices, now, after all the criticisms have been registered and the case against Roth successfully made, that he has, in the past twenty years, contributed a substantial body of work. He is one of those writers who actually writes, unlike many of the grander figures of our day who write one thing and live off of it for years, giving interviews and sitting on boards of foundations and prize committees. He is rarely uninteresting—he sometimes makes disastrous mistakes, like *Our Gang* and *The Breast,* and sometimes goes completely haywire, as he did in the unreadable *Great American Novel,* but he does what he does, and he does it well. This is, I think, an important consideration.

He does not sensationalize, either. He was roundly accused of sensationalism at the time of *Portnoy's Complaint,* but it was a false and cheap accusation. The "Whacking Off" section of that novel, in particular, is a marvel, one of the most unsettling and brilliant passages in modern literature. It evokes the most contradictory of responses: As Portnoy goes into lurid detail about his sordid autoerotic misadventures, one is repelled, one takes grim pleasure in the accuracy of description, one laughs, one is sickened. Masturbation, for Roth, is not just a triviality, as it has been portrayed by Masters and Johnson and by Shere Hite (in fact, the latter celebrates masturbation as the most satisfying sexual pleasure), but is rather a matter of utmost seriousness, and even as he describes it hilariously he analyzes it gravely.

But still: Why is he picking on the Jews? Surely Gentiles masturbate? For every Sophie Portnoy threatening her seven-year-old son with a knife when he refuses to eat there must be a Gentile mother doing similar horrible things to her son, mustn't there? Why is he picking on the Jews?

Fourteen-year-old Alexander Portnoy, the Communist atheist, is berated by his father:

> "And what about the Jewish people?" He is shouting now, and waving his arms, hoping that this will prevent him from breaking into tears. "Does he respect them? Just as much as he respects me, just about as much . . ." Suddenly he is sizzling—he turns on me with another new and brilliant thought. "Tell me something, do you know Talmud, my educated son? Do you know history? One-two-three you were barmitzvah, and that for you was the end of your religious education. Do you know men study their whole lives in the Jewish religion, and when they die they still haven't finished? Tell me, now that you are all finished at fourteen being a Jew, do you know a single thing about the wonderful history and heritage of the saga of your people?" But there are already tears on his cheeks, and more are on the way from his eyes. "*A*'s in school," he says, "but in life he's as ignorant as the day he was born."

Alex may cry out about "*all that saga shit!*" but the jig is up. He *is* a Jew, and he *will* ask his *shiksa* girlfriend to convert, somehow, there is no other way. And he and David Kepesh and Peter Tarnopol (the hero of *My Life as a Man*) may masturbate, and fall in love with Gentiles, and may even marry beautiful blondes who will turn their lives into living hell, but still there it is: They are Jews. And what they feel—and what Roth feels, and what I feel—is inextricably linked to that one, defining fact.

So Nathan Zuckerman is cursed by his father, and Philip Roth is cursed by Jews. But despite the harshness, the nakedness, with which he examines the most uniquely beleagured people who have ever lived, he recognizes the one thing that makes the Jews of the present day still Jews. Nietzsche once said that death is the only real fact we have, but this is too exclusive. We also have the facts of our ancestry, our family, our membership in a race and in a religion. We may wish to ignore these facts, or to act as though they have no bearing on our lives, but they are inescapable. *I am a Jew,* the characters in Roth's books cry out, *but why?* There is no *why*. The Jews are not a cause, not an issue: They are a people. The question, thus, is not, Is It Good for the Jews? or, as the sanctimonious Judge Wapter puts it in *The Ghost Writer,* "Can you honestly say that there is anything in your short story that would not warm the heart of a Julius Streicher or a Joseph Goebbels?" The real question is, Are You Telling the Truth? Roth does tell the truth. He makes errors on the way: Sophie Portnoy would not rinse her grey hair with blue dye, nor would the Patimkins of *Goodbye Columbus* have a refrigerator full of fruit in their basement.† When Roth errs like this, he is reaffirming inaccurate and invalid stereotypes, and opens himself to the accusation of anti-Semitism. But most of the time he is on target. One may prefer the large-hearted humanity of Saul Bellow, but there is no denying Roth his position as one of the foremost of American Jewish writers, and very likely as the foremost American novelist of his generation. □

†Sophie Portnoy is a monster, but a brilliant and resourceful one; she would, more probably, keep her hair grey and dull, in order to make her son feel even more guilty, about her age and oncoming death. And the Patimkins, rich as they are, would not keep so obvious a reminder of their lower-class days in their basement; they would more likely have a meat-freezer filled with filet-mignon downstairs.

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Aram Bakshian, Jr.

HAVING A BALL: THE REAGAN PRESIDENCY

The first 100 hours.

Thursday, January 8, 1981: Why am I doing this? Why am I going to fork over two hundred bucks so that the venerable relative and I can be prodded, crushed, and bored to death at what is laughingly referred to as an Inaugural Ball? Force of habit, I guess. Aunt Mariah has been to every Republican Inaugural since Hoover flubbed it. She's not about to spoil her record now. Besides, she insists that this one can't be any worse than the Trickster's second in 1973. Mariah was nearly trampled to death at the Kennedy Center that year by a herd of Californians. She never even made it to her reserved box.

Friday, January 9: Drop off check for my tickets at Inaugural Committee headquarters, a grotty temporary building in Fort McNair. Bump into three advance men and two schedulers from the Nixon White House. The retreads are rolling back to Capistrano.

You need a security pass to pay for your tickets here. Not quite as absurd as it sounds. I recognize at least one lunatic who is working on the Committee as a volunteer. He's been thrown out of all the best clubs and sanitoriums in Washington; now he's finally found a place where he fits in. The reception area is jammed with cranks and charlatans of every stripe trying to latch on, including one especially determined Harridan who has been lying in wait for the Inaugural chairman for several days now. Fortunately, her madwoman's eyes are myopic as well as wild: He's walked right past her twice without being spotted.

On the subject of insanity, there seems to be quite a bit of it going around just now. My cab driver, a large bearded man with thinning hair and a tendency to dribble, tells me on the way back downtown that the secret of good health lies in practicing nudity and consuming large quantities of the herbal remedies sold by a medico-religious mail order concern in Juarez, Mexico. Perhaps. He's wearing a fur cap, overalls, a sweater, parka, cowboy boots, and purple mittens, and he's definitely unwell. Says he voted for John Anderson because Kiki Anderson "turned him on."

Monday, January 12: For reasons best known to themselves, the Inaugural authorities have designated the Union Station Visitor's Center, a black hole usually frequented only by winos and street people, as the place to pick up one's tickets after they've been "processed."

I arrive in the midst of a class war. They've barricaded off the ticket area at the Station to keep out the vagrants. It seems that the Inaugural "Taste of America" display, a series of booths dispensing complimentary food and wine to ticket buyers and volunteers, was swamped by malodorous and occasionally incontinent bums when it opened a few days ago. Now the drunks and scroungers can only look on from across the hall.

My tickets are not at the "will call" desk and a doleful clerk informs me that my name is not even on the computer list. Despondent, I take the subway to the National Press Club and gradually recover spirits by watching a local broadcast of *King's Row,* the tear-jerker in which the President-elect, having had both legs amputated by an uncharacteristically sadistic Charles Coburn, asks the poignant question: "Where's the rest of me?" Story a clinker but Reagan's performance pretty good.

Tuesday, January 13: To Union Station again in a second attempt to pick up tickets. The class war has entered a new phase: Some of the more enterprising street people have found a way to evade the barrier separating them from the "Taste America" smorgasbord. They pool wardrobes—a pair of shoes from one, a semi-clean jacket from another, a tattered but tasteful tie from yet a third—until one fairly respectable outfit is assembled. They take turns wearing it: infiltrate, gorge, and guzzle in shifts.

Tickets still not ready, but they tell me my name is now on the computer list. I'm luckier than many, since the Committee, as usual, has monstrously overbooked. Already the wrathful scorned are everywhere in evidence—enraged minor millionaires and seething small-town socialites whose names are not on the computer list.

Wednesday, January 14: Tickets still not at Union Station but my name is still on the computer list. Drown my sorrow in Tokay, Bull's Blood, and assorted Hungarian liqueurs at a farewell party at Csiko's, my favorite Hungarian restaurant. As the violinist and cimbalom player grind out the overture to Countess Maritza, I toast a journalist friend who has had the good sense to accept a temporary assignment in Hong Kong, for which he departs on the morrow—a drastic but foolproof means of evading the Inaugural festivities.

Friday, January 16: Spent most of yesterday recovering from the farewell dinner at Csiko's. Finally mustered the strength to pay another call at Union Station. Tickets were still not there and, to my horror, I discovered that my name had disappeared from the computer list. Spent the rest of the afternoon pulling strings by phone with the result that by this morning my tickets are actually at the station. Class war now at a standstill. The bums have been such pigs while making the rounds of the "Taste of America" exhibit by turns that their composite outfit has been rendered unserviceable by gravy stains and grease spots. An uneasy peace reigns at the barricade.

Aram Bakshian, Jr. is a Special Assistant to President Reagan for the Arts and Humanities.

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Saturday, January 17: A bunch of the Press Club "barbituees" (led by Kim Gregory, a veteran producer for CBS news) have improvised their own Inaugural Event. It's an amiable gathering with nearly 57 varieties of Jelly Beans on display, candy-coated "transition" peanuts, and a special sandwich *du jour* inspired by the President-elect's film career: sliced ham on Hollywood bread. At the Club I give away two tickets to the Vice President's reception next Monday at the American History Museum—one to a senior staffer from *Reader's Digest* whose landlady is desperate to attend something, *anything* Inaugural, the other to Leslie Nfungo, the unaccredited envoy from an unrecognized tribal homeland inside South Africa.

Monday, January 19: This is the morning of the "Distinguished Ladies Reception," which will probably be best remembered for an embarrassing typographical error on the ticket order form. Where it should read "$10 per lady," it actually reads "$10 per lay, by Special Invitation Only."

The most exclusive social events during any Inaugural are the private parties. Attend one this evening at the F Street Club. Everybody's there: most of the incoming Cabinet, Ed Meese and Lyn Nofziger, Capitol Hill brass. Henry Kissinger oozes in early, circles the buffet table a few times, grabbing choice tidbits and holding court until Al Haig arrives. The rising sun salutes the setting, Kissinger oozes out a bit more quickly than he oozed in, and it's Haig's turn to hold court.

I am trying to grapple simultaneously with an elaborate open-faced sandwich, a whiskey and soda, and an over-sized Canary Island cigar. Nola Bubbleberg, a woman from my past, breezes in. Knew her in the Young Republicans years ago. In those days Nola was a violent liberal. I was, and am, a conservative. Now she says she's "heavily into free enterprise" and looks askance when I confess to having been on the federal payroll as a White House aide under the last two GOP regimes. Some things *do* change.

In the shadier corners of the room, furtive groups of jobseekers eye each other suspiciously as they wait for opportunities to collar the powers soon to be; the more obvious of them remind me vaguely of the shabby little characters one used to encounter selling dubious postcards on Parisian boulevards.

Tuesday, January 20: I awake *in extremis*, and with a vague recollection of having sung two verses of "Midnight in Moscow" in Slavic-sounding gibberish toward the close of dinner.

Having survived shaving and a cold shower, I set off for the Heritage Foundation, a conservative think-tank on Capitol Hill which is holding an open house this morning. Arrive just in time to watch Reagan's Inaugural address in sympathetic surroundings. The predicted rain gives way to clear skies and unseasonably warm weather on perfect cue, just as it did at FDR's first Inaugural nearly half a century ago—when Reagan, who looks so fit and lively this morning, was already 21 years old.

I'm due at an office building overlooking the parade route at 15th and New York Avenue. The Washington bureau of a large trade journal occupies most of the eighth floor and several friends on the staff are throwing a small party for some visiting Texans, a breed I can usually tolerate in measured doses. Only two problems: The parade is over an hour late getting started and, because of a flu relapse, I'm not drinking. Everyone else is, and the conversation takes an occasionally bizarre turn, at least to my sober ears. At one point, a hardened old reporter who claims to have memorized the world's largest catalogue of obscene limericks turns to one of the She-Texans, the relict of an oil baron who must have taught her more than the oil business, and declares with genuine admiration: "I've finally met a woman who's more foul-mouthed than I am!"

The parade itself is excellent—shorter and less rag-tag than those of past years and with an emphasis on equestrian units, most of them well-drilled. The only casualty is a portly, embarrassed Shriner whose horse has balked. He has to dismount and lead his jinxed chestnut gelding out of the parade. Judging from the apparent age of horse and rider, this is probably their last parade; the poor guy must be the saddest man in Washington this afternoon, now that Jimmy Carter has flown back to Plains.

The parade ends with the Mormon Tabernacle Choir float stopping in front of the Presidential reviewing box. The Reagans both brush away a tear as the Choir sings a patriotic medley. So, too, the dirty limerick collector, and everybody else in the room.

After a hasty if hazy forced march to the Press Club, the Texas contingent dashes to the west window to watch the fireworks while I decide the time has come for at least one Heineken. One of the She-Texans has ambled over to the table, accusing me of lacking patriotism because I haven't walked over to the window to watch the fireworks. "What's the mattah, honey, don't you love America?" Miraculously, I manage to wriggle away and get home in time to change for the ball . . .

The only disappointing Inaugural Ball in anybody's life is his first one. Once you know what to expect, it isn't too bad. But every four years thousands of virgin guests descend on the city expecting space, grace, and lavish hospitality—a night in old Vienna with patriotic overtones. Instead they usually find overcrowded hotel and museum ballrooms with no room to dance, no food, over-priced drinks, and under-manned bars. Still, like George Washington crossing the Delaware, the historical interest of the thing makes up for the lack of comfort; besides, the neighbors back in Dayton or Shaker Heights need never know what a mess it was; *they* weren't invited.

Having collected Aunt Mariah, the venerable relative, I head for the Washington Hilton, site of one of the eight official Inaugural Balls taking place throughout Washington. We arrive early, but not early enough to avoid the beginnings of a mob scene. I notice from the program that a certain border state is among those represented at the Hilton tonight and immediately think of one of its dreaded native sons, J. J. Dinckel.

Dinckel, whom I met while helping to edit the Republican Platform in Detroit last summer, is liberal central casting's version of a small-town Republican . . . and then some. I'll never forget the moment when, during a session of the Committee on Resolutions when the plight of Soviet Jewry was being discussed, J. J. rose to his feet and, never one to beat about the bush, declared something to the effect that he didn't see what all this fuss about Soviet Jews was good for. What had they done for us lately? Besides, we had enough trouble on our hands taking care of real friends like the Vietnamese (suppressed groans around the table and murmured prayers that there were no reporters present).

Somehow I know that, while I almost certainly won't meet any number of hoped-for friends and acquaintances tonight at the Ball, a mischievous fate will throw J.J. Dinckel my way. Which it does, about five minutes after I enter the ballroom. On the pretext of buying a drink, I escape after a rambling briefing on the state of the nation in general and the Dinckel digestion in particular, following recent gall-bladder surgery.

In the absence of Heinekens I order a whiskey and soda, and accidentally tread on the right foot of an attractive blond stewardess. Amidst mumbled apologies, I find her date is an Armenian friend of mine from Boston. I introduce them to good old Aunt Mariah, who has staked out a defensive position for herself within view of the platform where President Reagan is expected to appear momentarily. He arrives on schedule and, in what for one nervous moment looks like a mass assassination attempt, thousands of hands dive into breast pockets and purses as if reaching for pistols. Relax; it's the night of the Minolta, not the Day of the Jackal. Several thousand flashbulbs go off at once, the applause mounts, and the new President makes a short, graceful speech—the first of eight he will deliver with elán on his Inaugural rounds tonight.

Mariah is digging in for the duration. I agree to rendezvous at her observation post after making a quick round of the ballroom looking for friends. There are plenty here, including a number of people I happen to know are Democrats but who are

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more interested in political partying than political parties. The foreign editor of one of England's grosser tabloids looms on the horizon, in search of a story, a girl, or both; suddenly I'm in the clutches of Morton Mollusc, the world's oldest living Young Republican, who is checking the guests for ideological purity. Mollusc is already convinced that Reagan has sold out to the Eastern Establishment and is betraying the conservative movement.

The ballroom is getting more and more crowded and I feel the need for a bit of fresh air, even though it may mean an encounter with Clarissa Nipkin, a fanatic supply-side Lafferite whom I spot, a moment too late, out of the corner of my eye. *La belle* Nipkin will talk for hours to anything that can't outrun her, which I am unable to do because the corridor is full of men in wheelchairs (for the first time, a real effort has been made to accommodate the handicapped in the Inaugural celebrations) and a serpentine formation of blind celebrants is making a futile attempt to find its way to the ballroom. The visual effect is eery, rather like a Dante-esque conga line, and Clarissa Nipkin's dogmatic babbling about Dr. Laffer's Magical Mystery Curve provides suitably surreal background music. Desperate, I introduce her to the lead blind man, who is wearing a nameplate. The conga line halts, Clarissa targets her new and helpless audience, and I manage to regain the ballroom by circumventing the fire marshals and sneaking in a side entrance.

There is no sign of Aunt Mariah at our rendezvous point or anywhere else—not even an oil slick or a few tattered bits of rigging. Glancing at my watch, I realize I've been gone for several hours. As I dart nervous looks around the ballroom trying to spot Mariah, I get the distinct feeling that *I* am being watched. A somber, heavy-set man in a grey business suit with an elaborate insignia in his lapel and a walkie-talkie clutched in his right hand is staring fixedly at me from across the room. He's obviously a cop or a secret service agent. Slowly, he draws nearer, still staring at me through narrowed eyes. I hate moments like this. The cop is standing in front of me now, his arms akimbo, and looking me right in the eye. I can feel Nixonesque beads of perspiration forming on my upper lip, mercifully hidden by my mustache. Finally, my nemesis speaks: "Aren't you the guy who conducted the auction last October at the National Capital Military Collector's annual dinner? I really enjoyed it."

As it happens, I am "the guy," and my Inspector Javert is a fellow military history buff who remembered my performance and recognized me from afar. I have one of the more pleasant conversations of the evening with him, a discussion of Victorian regimental mess dress triggered when he notices that I'm wearing a cummerbund in the regimental colors of Skinner's Horse, the original Bengal Lancers (very few guests are wearing white tie, most settling for dinner jackets).

Resume search for Aunt Mariah. Still no trace; can't help thinking that, if worse comes to worst, this is the way she would have wanted it—signing off with her society boots on, in the midst of her umpteenth Inaugural Ball. I phone home to discover that, having seen Reagan and downed two small sherries, the venerable relative said hello to a few old political friends, plowed her way through the mob to the lobby, commandeered a ride home, and is now snug in bed, eating chocolates and reading a Jane Austen novel.

I, on the other hand, am beginning to run out of steam. My mystery virus is acting up again. Deciding to leave is easy enough; getting out is something else. For hours I keep meeting more friends and acquaintances, besides spotting a number of unfamiliar but interesting faces and vignettes: weary dowagers sitting on the carpeted stairs, their tiaras reflecting the glitter of crystal chandeliers as they struggle to free sore feet from cruel slippers; flush-faced but gentlemanly old WASPs who have mastered the art of genteel tipsiness; and more than a few really stunning girls in stunning gowns.

It isn't all old money and young debutantes, however. I notice more ethnics, blacks, and diamonds in the rough than ever before. One couple from New York, he a stubby, cigar-chewing Damon

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Runyon type and she an over-painted blonde showgirl with a perfect build up to the neck and a perfect vacuum above it, represent one of the many facets of what may really be the long-heralded emerging Republican majority.

Neither of them seems destined to shine in refined society, but, to judge from the girl's mink and the diamond ring on her escort's finger, they have their own reasons for believing in the American Dream. Money isn't everything though; despite having laid out several grand for a private box, our hero has been forced by the fire marshals to cool his heels outside the ballroom for several hours. The crisis has passed but he is still furious. "Fa Crissakes, Shoily, dose crumbs treated me like doit! You can be damned shaw dose punks ain't hoid da last a Harry Horstheimer!" [not real name]

Shirley takes a more philosophic view. "Cut the crap, Harry," she says. "So what if it's a little crowded. The right guy won the election, din't he? So why don't you just shut up and buy me a f------- drink?"

Outside it has finally started to rain, which can only mean that President Reagan has retired for the night. I hail a cab; beside me on the backseat I notice an abandoned evening newspaper. It is opened to the horoscope page. I remember reading somewhere that Ronald Reagan is an Aquarius, and that he is interested in astrology. What advice, I wonder, do the stars, by way of Sidney Omarr, have for our new President on the dawning of his first full day in office?

"Steer clear of self-deception. Play waiting game. Written material requires close scrutiny."

Not bad. Probably a great deal more useful and direct than much of the advice Reagan will receive from bureaucrats, lobbyists, pundits, and politicians over the next four years. My own horoscope is even more to the point: "Older individual is in your corner and proves it."

The lines are still fresh in my mind as I alight from the cab and find that I have lost my latchkey. Locked out at three in the morning—the perfect end to a perfect party. But my despair is short-lived. A light flicks on behind the door and a small, familiar round face peeks out through the curtains. The venerable relative herself, having exhausted her supply of chocolates and Jane Austen's prose, has come downstairs for refills, just in time to let me in.

The stars—both Hollywood and celestial varieties—are sometimes wiser than we know. Just ask Jimmy Carter. □

Herb Greer

ROYALTY'S CONNUBIAL JAMBOREE

Curiously, the Royal Wedding seemed to have happened before it had actually taken place. This was in large part the effect of the *must* which (so it seemed) afflicted most of the light media in Europe—and a few of the heavy British ones—while the Prince was engaged in his long teasing game of *cherchez la femme*.

After all the false starts, blind alleys, rumors and jokes (some not very polite), and the gossipy absurdities, the bathetic high drama of those last few days of suspense, and then the *real* announcement—well, what was mere churching, even in St. Paul's? That climactic frenzy more or less had to leave the wedding as an afterthought, a bit of an anti-climax. As soon as the engagement was announced the Lady Diana was, for all practical purposes (nearly all), a member of the Royal Family. It was at that point rather than later that the subliminal uncertainty which attends the future of an unmarried Prince vanished. The Royal loose end was tied up, and we could all relax—almost.

Perhaps "relax" is not quite the word. Naturally the souvenir industry jerked into high gear. Every sort of gewgaw from pencil cases and cheap compacts to pottery mugs, postage stamps, and limited editions of very expensive porcelain plates flooded the up and down markets. There was even a tacky little show in London's West End, a staging of mock-heroic verses by Australian critic Clive James, about the Prince and his hangers-on. The published text got a feline, not to say bitchy, review from American novelist Paul Theroux in the *Sunday Times,* but that did not seem to dull the public's appetite for the show's plastic chic. All of this, however, was thoroughly traditional. One of the staples in British antique shops is the detritus of past souvenir-hawking on one Royal occasion or another.

A passing reference to Lady Diana—in the *Times*, of all newspapers—was distinctly untraditional, and rather startling. Not long after the engagement it suggested that she "would very likely" be the future Queen. There being no uncertainty at the time about the engagement or the marriage, one was shaken by that subjunctive mood. Without wanting to make too much of a stray remark (and a journalistic remark at that), the unsure tenor of it does send the mind spinning back into history.

The last time Britain had a King called Charles was in the seventeenth century, when there were two of them. The first had his head chopped off by a dictator. Then as now the country was volatile at home, with violent trouble across the Irish Sea, very unpleasant demotic strains in political life (today these masquerade as demands for "more democracy"), and a tendency, especially among the poor, to ideological fanaticism and overriding sub-group loyalties. The latter today are not confined to the poor, as we see in the Civil Servants' strike.

Prince Charles, as he is projected in the media—the only frame in which most Britons ever see him—is an entertaining and agreeable sort, amusingly jug-eared, not that brilliant, prone to fall off horses and travel a lot, and of course very rich, with maybe a touch of the clown about him. Not, in other words, a deeply serious figure like his Mother. His image may alter with marriage, a little—a very little. Whether it will change enough to make him a respectable King and the center of gravity for the nation is less certain. Given the manner in which the media now treat the Royal Family, such a transformation will not be easy. Even now many Britons grumble over what these very expensive Royals are *good* for, what they can *do* that some democratically elected figure could not do as well. The answers to this complaint are generally abstract, having to do with continuity and a sense of tradition: the kind of language which is used to justify the price of those antiques so expensively auctioned at Sotheby's in Bond Street. Respect for such things is a matter of habit and custom, and the British have usually been

Herb Greer is an American author and playwright living in Manchester, England.

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more reluctant than most peoples to throw away their customs. Much of the "power" of the Royal Family rests on that reluctance, but it is not absolute or, these days, undisturbed. The left-wing leaders of the Greater London Council ostentatiously and sneeringly refused their invitation to the Royal Wedding, having as they said, "better things to do for the people who *democratically* elected us." The custom of reverence for the Monarchy is not, one suspects, much more deeply rooted among those electors than among their ill-mannered leaders—none of whom wishes Charles a prosperous and Royal happy-ever-after. Charles's Mother can still compel respect, but whether he himself will survive the malice of those evil-tempered witches who reversed the fairy tale by *refusing* to come to the wedding—or whether British Royalty, like those dusty mugs and plates in the antique shops, will sink in this turbulent century and become a souvenir of things long gone—is an uneasy question to echo in St. Paul's after the songs and celebration of July's Royal Wedding have died away. □

Benno Weiser Varon

DON'T CRY FOR JACOBO TIMERMAN

The weaseled words of *Prisoner Without A Name*

*Prisoner Without a Name, Cell Without a Number** reminds me of the story about the woman who, asked about the enormous solitaire she wears, explains: "This is the famous Goldstein diamond. But there's a curse attached to it."

"What's the curse?"

"Mr. Goldstein."

Prisoner is a remarkable book. The trouble is Jacobo Timerman.

No book I can remember has received so much immediate attention. No author I can think of has been quoted so profusely, written about so extensively, or lionized so extravagantly in the first few weeks after the publication of his book. On one single Sunday the *New York Times* carried six different articles on Timerman, none of them short, including one written by Timerman himself. Only the grimness of the subject may explain why in spite of all the hullabaloo the book did not immediately make the bestseller list. Timerman is a publisher's dream. A docudrama for TV has been announced already, a film may follow, there will be handsome profits for all concerned.

Is the book worth all the fuss? It is. It's a great book, written by a journalist who as a newspaper publisher in Buenos Aires combined stellar writing talent with superb business acumen. *Prisoner* is a shattering denunciation of Argentina, an ear-piercing outcry against its military caste gone berserk, an anguished vision of what may be in store for Argentina's 400,000 Jews, and a moving description of one man's experience in Argentina's Hades. I shall later explain why I am not at all certain that the narrative is 100 percent factual. However, I don't doubt the veracity of the torture methods described. Had the author invented the tortures and the "terrorist sensuality" and the "eroticism of violence" which he attributes to the Argentinian brand of sadists, it would be an even greater feat than his surviving them. Because this would imply that Timerman is another Dante. And though I stand in awe before his brilliance, there is a limit to my line of credit for Jacobo Timerman.

In other words: *Prisoner* is an important, extremely well-conceived, and even extraordinary book. Judged as such, without the intrusion of the personality of its author, I might have joined in the raves. But I feel obliged to let the unsuspecting reader in on a secret: I'm part and parcel of the Timerman controversy. I am, if not *the,* at least a *bête noire* of the Timerman camp. Not that that camp has been interested in publicizing my existence. Only under duress, when confronted with a few things I said in an article "Don't Rescue Latin American Jews" (*Midstream,* December 1980), did one of Timerman's sidekicks, Rabbi Morton Rosenthal of the Anti-Defamation League of the B'nai B'rith, call that article "rubbish" (as reported in the *New York Times*). Timerman himself called me "a nobody"—but in a closed meeting. Such fury must have been earned, and I shall soon explain how.

Jacobo Timerman, publisher of the Buenos Aires daily *La Opinion,* was arrested in April 1977, by order of one of Argentina's "warlords." There is no chronological sequence in *Prisoner* and so the reader may not be able to guess what happened when, or how long the different phases of Timerman's ordeal lasted. The fact is that he spent half a year in two legal and three clandestine prisons. (It's at the latter that tortures are performed.) A Council of War then decided that his arrest was baseless and recommended his release. The Government, *qua* government, would have gladly complied. But the extremists among the military balked and thus Timerman spent another two years under house arrest in his own apartment. Finally, the Supreme Court reviewed the case and demanded that he be set free. The *gorilla* Generals wanted to arrest the judges of the Supreme Court, but President Videla threatened to resign and a compromise "solution" was found: Timerman was set free, but expelled from Argentina to Israel, stripped of his citizenship and of his assets. Obviously he was all along innocent of whatever caused his arrest, for had the military judges of the War Council found a single shred of evidence against him, they would not have decided that his detention was "baseless."

So here was an innocent man who had suffered humiliation, anguish, and torture and in the process witnessed the hair-raising cruelties of Argentina's parallel-government, a "government" that consisted of:

> military leaders [who organized] their personal domains, each one becoming a warlord in the zone under his control, whereupon the chaotic, anarchistic, irrational terrorism of the Left and the Fascist deathsquads [which had prompted the military to overthrow the legitimate but disastrous government of Juan Domingo Péron's widow, Isabel] gave way to intrinsic, systemized, rationally played terrorism. Each officer of a military region had his own prisoners, prisons and form of justice, and even the central power was unable to request the freedom of an individual when importuned by international pressure.

➡

*Alfred A. Knopf, $10.95.

Benno Weiser Varon lived as a newspaperman in Latin America and returned there years later as Ambassador of Israel. Now retired, he lives as a writer and lecturer in Brookline, Massachusetts.

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That's why all the international appeals on behalf of Timerman, the imprisoned newspaper publisher, were ineffective, at least for the first two and a half years. In the present debate about totalitarianism vs. authoritarianism, for which the Timerman affair has become a kind of litmus test, one thing is being overlooked: There exist authoritarian governments that lack authority. This was the case of the Argentine military government.

Besides the narrative about Timerman's ordeal, the book contains a wide range of observations dealing with Argentina, the Jewish fate, in general and in Argentina, and the nature of terrorism of the Right and the Left. Most of these remarks are interesting, though in some cases only a handful of people worldwide could judge whether they are correct. The reader may be ready to throw in the towel after reading an enumeration of several hundred *categories* of terrorists operating in Argentina, of which some kill their own comrades ("Peronists assassinating Peronists, the military assassinating the military, union members assassinating union members, students other students, policemen other policemen"). But then Timerman comes to the rescue: "The problem is not merely that I find it difficult to explain Argentina in comprehensible terms to outsiders, but I myself perhaps am unable to understand her." What this particular reader would like to have had explained is how he could have visited Argentina in those years without even *noticing* this murderous free-for-all. Presumably the situation resembled the warfare among different Mafia factions: The general public was fortunately excluded.

Occasionally Timerman clobbers us with his erudition. For instance, when he describes how in jail he wanted to write a book about his wife's eyes: Which poet should he emulate?

> Modeling it after Pablo Neruda would be reiterative . . . whereupon I recalled Federico Garcia Lorca's style in "Poet in New York," . . . but then began wondering if perhaps Stefan George's symbolism might not be more appropriate, for in a certain way it was linked with Franz Kafka's world . . . I recalled the work of Chaim Nachman Bialik . . . as for Vladimir Mayakovsky, he seemed overly Russian in his love poems to Lila Brick and too verbose . . . I likewise dismissed Paul Eluard, Claudel was unadaptable, and Aragon didn't especially impress me. There remained of course, the poets of my youth: Walt Whitman, Carl Sandburg, and the Spaniards Miguel Hernandez and Luis Cernuda. Finally, I settled on Stephen Spender, and began to write, in my mind.

A showoff? Perhaps, but that's not all. Who wouldn't feel like a complete dumbbell if confronted with such a display of poetic knowledge, which is obviously only a sideline of the political journalist? The idea is to tell the reader: You miserable, half-witted ignoramus, look what I know, and then dare to contradict my conclusions. There is similar pedantry when he describes the various terrorist factions: ". . . small units that found ideological justifications for armed struggle in a poem by Neruda or an essay by Marcuse. Lefebre might be as useful as Heidegger; a few lines by Mao Zedong might trigger off the assassination of a businessman in a Buenos Aires suburb; and a hazy interpretation of Mircea Eliade might be perfect for kidnapping an industrialist . . ."

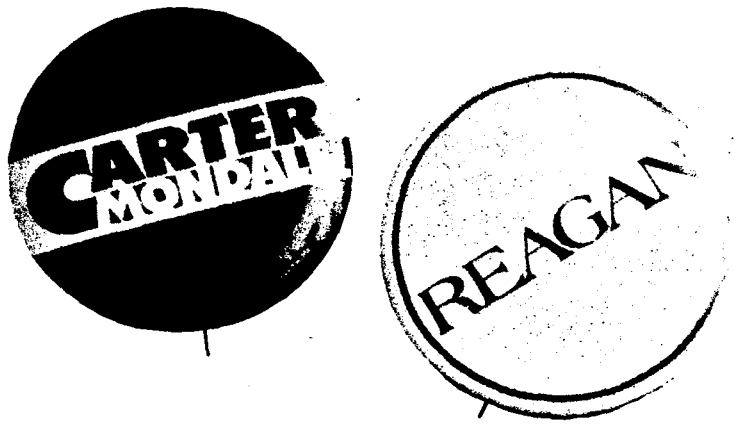
This may be meant to convey: Never heard of Mircea Eliade? Then sit down and listen to what I have to tell you about the holocaust which the Jews of Argentina are facing. Never heard of it? Well, you never heard of Mircea Eliade either. And so you will believe me when I say that danger of a holocaust in Argentina also exists.

There is no doubt that anti-Semitism is alive and well in Argentina. It always has been, yet it did not prevent Timerman—who arrived as a child from the Ukraine and spent his childhood in the Buenos Aires equivalent of a Lower East Side slum—from becoming a powerful and wealthy newspaper publisher. And though Timerman tries to hint otherwise, Jews were not arrested in Argentina because they are Jews. Rather, those who were arrested were suspected by the military, rightly or wrongly, of belonging to or sympathizing with the leftist guerrillas whom the military had sworn to destroy. This procedure was of course hardly democratic, but it was monumentally different from that of Nazi Germany where Jews were arrested, put into concentration camps, and eventually gassed because they were Jews. Yes, once Jews descended into the Argentinian Hades, the anti-Semitism of their torturers added to their ordeal. When raped, Jewish women were raped more frequently; when tortured, Jewish men were tortured more severely, to the accompaniment of anti-Semitic insults. But strangely enough the bulk of Argentina's Jewry (which in principle sympathized with the anti-guerrilla campaign) did not and does not feel endangered. Timerman loathes them for it, and they loathe Timerman for pointing to a danger, which they believe does not exist, in order to promote his book at their expense.

Argentina is far away, and to be perfectly frank Latin America bores the American reader. He is prone to accept what Timerman writes—and much of what Timerman writes is true. What distorts the book is a puzzling omission, and he who is not aware of it will put the book down filled with sympathy and admiration. He would probably feel the same sympathy and only a fraction less of the admiration if there were no such omission. Unfortunately this omission is deliberate and willful, and that it is so is decisive for my evaluation—not of the book, but of the man.

I earned the above-mentioned epithets from Timerman and his associate by calling attention to the forbidden fruit. Not that I knew it was

Carter vs. Reagan



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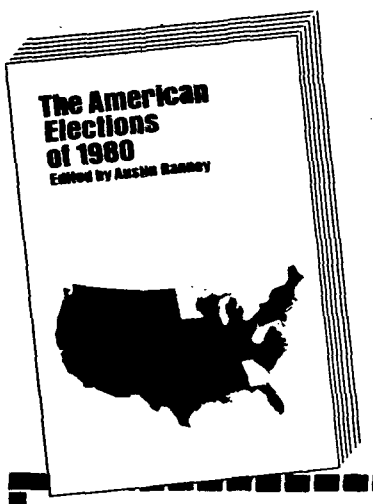

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forbidden. I published "Don't Rescue Latin American Jews" half a year before *Prisoner* appeared, when I could not foresee that I would embarrass Mr. Timerman by reporting what I had learned on a visit to Argentina in the summer of 1979: The *cause* for Timerman's arrest was his unfortunate business association with David Graiver. This was no secret in Buenos Aires, but common knowledge. I quote from that article:

> Enter David Graiver, at the time 35, a fast-rising star in Argentinian, Belgian and American banking circles. Graiver owned 45% of *La Opinion*. In the spring of 1977 the Graiver bubble burst. The New York Banking Commissioner discovered that the American Bank & Trust Company, with irregularities and losses to the tune of $50 million, was bankrupt. It was the fourth biggest bank bankruptcy in America's financial history. At the time Graiver was in the process of acquiring full control of the bank which had advanced him for this purpose a loan of $18 million. Graiver's bank in Brussels folded, too . . . The "Graiver scandal" erupted in Buenos Aires. Graiver himself, mysteriously . . . died in a small plane crash in Mexico.

After Graiver's death the Argentine authorities found out, or came to suspect, that Graiver had also been the investment broker of the Montoneros, Argentina's wealthiest guerrilla movement which financed its operations by ransoms extracted from kidnapped business tycoons. Graiver's family was arrested, and so was a quasi-member of his family, his business partner Jacobo Timerman.

I found nothing damaging in this story. Whether the accusation against Graiver was right or wrong, there was no reason why Timerman should have known of Graiver's deals other than his interest in *La Opinion*. It never occurred to me that this story would be left out of Timerman's book on his arrest and prison experience.

But it was, and the powerful Timerman clique and claque now calls any reference to it "character assassination." Irving Kristol read my *Midstream* piece, and in his subsequent *Wall Street Journal* article that started the ongoing Timerman controversy, he termed the non-mention of Graiver an "extraordinary omission," which promptly sent the *New York Times*'s Anthony Lewis into near-apoplectic fits. But another Timerman supporter—in fact a Timerman colleague—Robert Cox, expatriate publisher of the *Buenos Aires Herald*, had a different reaction. In a long op-ed piece in the *Times*, Cox wrote: "Like most people with more than a passing acquaintance with Argentina, I too was astonished that in his book Jacobo Timerman made no mention of David Graiver who was his friend and financial backer . . ."

Once Graiver's name was injected into the controversy, Timerman found it necessary to come to the support of his dead partner. He compared him with Captain Dreyfus, with whom he, Timerman, had also been compared. But there is a marked difference between Graiver and Dreyfus and even between Graiver and Timerman. Neither Dreyfus nor Timerman had swindled any banks out of $50 million. Why this character-buildup for a crook?

The Dreyfus routine came up during an impromptu interview at New York's Hotel Carlyle conducted by an editor of the *Wall Street Journal* Seth Lipsky, who asked Timerman point-blank about his connection with Graiver. Timerman shot back, "The questions you are asking me, these are the questions they were asking me when I was tortured." Timerman's book contains many of the questions asked by his torturers, but none about Graiver. The name Graiver is completely expurgated. Why?

I can think of only one explanation

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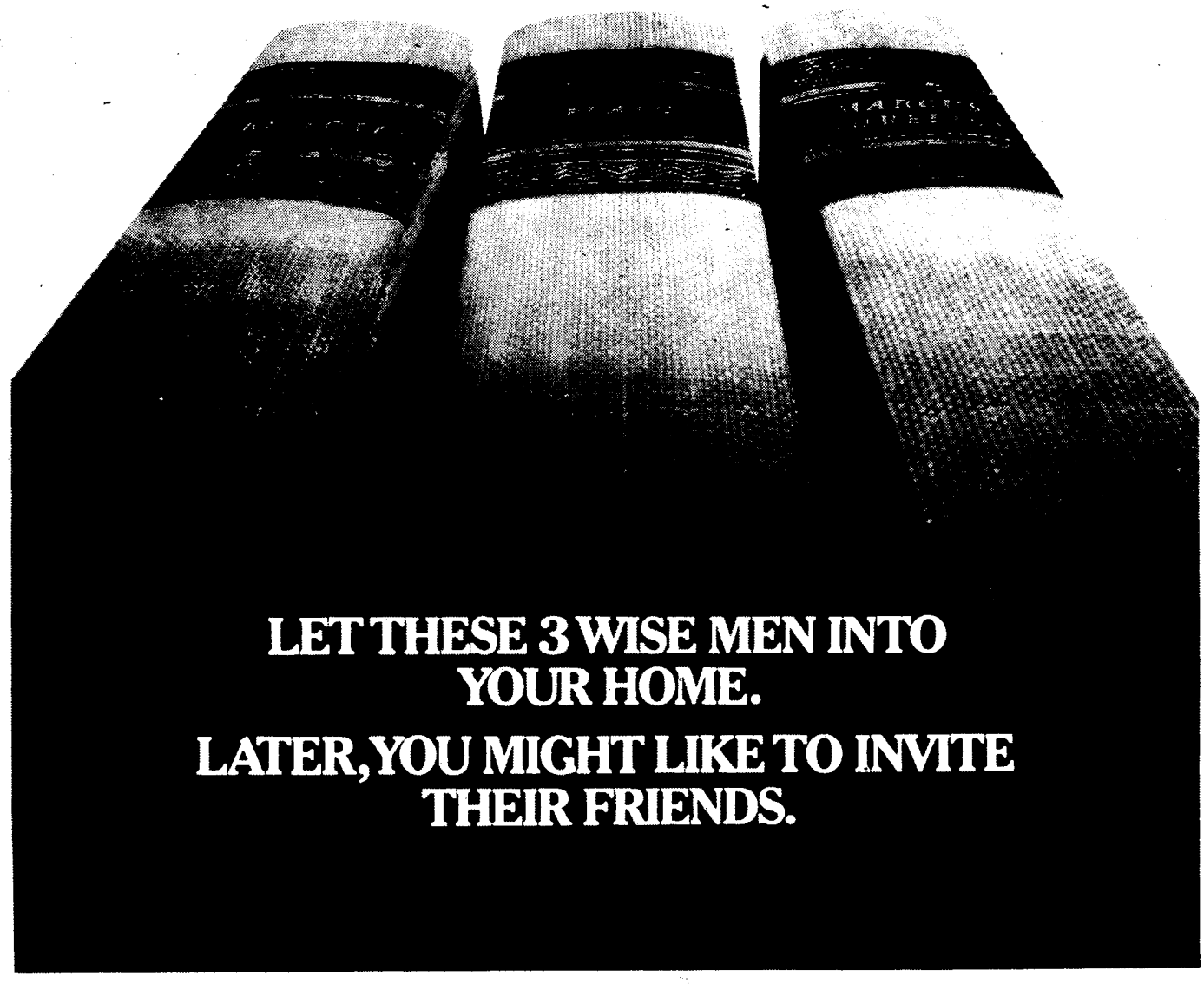

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for the obliteration of Graiver in *Prisoner Without a Name*: Mentioning Graiver and Timerman's connection with him would have erased the carefully nurtured impression that Timerman was jailed for his courageous editorials. This is a much simpler explanation than many of those being spun by Timerman's critics. For it is irrelevant whether Graiver was a swindler or another Captain Dreyfus; whether he was indeed the launderer of the Montoneros's ransom monies; whether the authorities could or could not prove any connection between Graiver and the Montoneros; and whether Timerman knew of his partner's shabby financial dealings. What matters is: Without a shadow of a doubt Graiver was Timerman's partner in *La Opinion* and this partnership, combined with the suspicion—correct or incorrect—that Graiver was the banker of the Montoneros, caused Timerman's arrest. This was common knowledge in Argentina, yet Timerman did not want his American readers to share in this knowledge because such knowledge would convert him from daring champion of human rights into a bank swindler's fall guy. It would shift the emphasis from the penalized journalist to th unfortunate entrepreneur. None o this makes for good copy.

Was Timerman a heroic challenge of the regime? Although he claim that he doesn't know why he wa arrested, and that he was never tol why, he also offers the suggestio that the daring postures of *L Opinion* might have antagonized th military. Unfortunately, some col water was thrown on this explanatio by a statement attributed to th aforementioned Timerman partisa Robert Cox and included in a otherwise sympathetic interview wit Timerman in the *Boston Globe* "Only a few months before [Time man] was arrested, he was suppor ing the government totally. H condemned the 'anti-Argentina' cam paign abroad, and at one point eve offered to go to the United States t condemn it." (In a private conversa tion with me a few days later, Co elaborated that this was an allusion t the Fraser Committee which at th time was investigating human right violations in Argentina.) Immediatel preceding this quotation attributed t Cox, the *Boston Globe* traced profile of Timerman which in al probability was also drawn by Cox:

> Never an ideologue [Timerman] ha friends in the military . . . he enjoyed th favor of persons in power and was carefu not to alienate them with strident attacks Some . . . even thought of him as cynica because he seemed ready to lend som support to whatever group was i power . . . *La Opinion* carried more re ports about the wave of "disappear ances," but never made a major issue o them.

Cox said essentially the same thing to me. He also told me something had already heard from other sources Sometime before his arrest, a dele gation from Amnesty Internationa wanted to interview Timerman abou "disappearances." He initially re fused and told the woman wh contacted him: "Let them first inter rogate those whom the Montonero kidnapped."

By the way, though Timerman wa innocent of whatever he was accused he was not innocent of complicity i the military power grab. In 1976 *L Opinion* exhorted the military t stage a coup against Isabel Péron *Prisoner* even describes how thi coup was hatched in the editoria offices of his newspaper. Whethe this was intended as a boast or confession, Timerman comes through as a godfather of the revolution tha would devour him a year later. Hi military friends could not come to hi rescue because of their unspeakabl suspicion that he had something to d with the alleged Graiver-Montonero

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alings. So much for the alleged roics of *La Opinion* and its pub-ıer.

)o any of these revelations detract ım Timerman's ordeal or from the ave injustice committed against m? Not at all. But they certainly oil the image of the knight in ining armor. Timerman hands out ithets of "fascist" to American and raeli leaders and accuses Mrs. ane Kirkpatrick of using semantics he way Hitler used semantics." A charansky or a Solzhenitsyn might ve the moral stature to say such ings. Timerman doesn't. He didn't ffer for anything he did. He ıffered for something he did not).

Unfortunately, the omission of the 'aiver factor ramifies in many other ays as well. It undermines the faith hich the reader, unaware of this tail, might have had in the absolute racity of the book. He who willfully nits may also willfully add. I don't spect Timerman of having invented e horrors he describes, such as the rturing of prisoners in full view of eir families. Untold thousands of *:saparecidos* are a convincing testi-ony to the bestiality of Argentina's andestine torture chambers. (The an who arrested Timerman, Colo-:l Rámon J. Camps, former chief of olice of the area of Buenos Aires, nnounced in early July that he is riting a book that will contend that imerman himself was never tor-ıred. Though I would not include is claim in the same category with ose of pseudo-historians who deny e Holocaust ever occurred, I am not clined to believe the Colonel. When was in Buenos Aires and Timerman as still in house arrest, I heard the legation that he had been tortured. would have been highly imprudent ır Timerman to provoke the author-ies with a false claim while still in ieir hands.) Nevertheless I found ome of the questions put to Timer-ıan by his interrogators even more ıtrageous than the alleged torture ıd it seemed to me astonishing that ıe questioners could be so blind and) stupid. But once I became aware of imerman's manipulation of his :aders through the omission of any :ference to Graiver, what before had eemed to me merely astonishing :nded to appear rather unbeliev-ble, improbable, or dubious.

A case in point is that the president f the War Council should have :arted every session with the same ıane question, "Are you a Jew?" I m perfectly willing to accept Timer-ıan's claim that the torturers and ıterrogators in the clandestine pris-ons behaved like Nazis. But why should the president of the War Council, which after all absolved Timerman, also have behaved like a Nazi? Clandestine prisons are one thing. The supreme law court of Argentina's military establishment is another.

I have my doubts. Yet since the capacity to doubt is a basic ingredient of civilization I also doubted the justification of my doubts.

Then something unexpected happened. Unexpected, I suppose, for Timerman too. The *New York Times* reported from Buenos Aires that tapes of the Timerman interrogations had been made available. This produced a hectic scrambling in the Timerman camp. In Rome, a former associate of Timerman declared that a few days before his arrest Timerman expressed a premonition that he would be arrested due to the Graiver scandal, while in Israel Timerman himself protested to the *New York Times* that he had never claimed to have been arrested because he was a Jew (an impression that nevertheless was assiduously fostered in the campaign for his release). Whereupon even the loyal *Times* commented that the credibility of Timerman was at stake.

I managed to get hold of one of those tapes. It dealt, I should almost say of course, with the business association between Timerman and Graiver. Both Timerman and Mrs. Graiver were interrogated. I was not interested in business details. I concentrated on the tone of the proceedings.

One thing was clear from the first moment: This was neither the Inquisition nor the Reichstag trials. The questioning was not even hostile. Everything was civilized, matter of fact, business-like. The tape did not include the beginning of the session. But it would have been a complete non sequitur, an utter dissonance, if each segment of this perfectly urbane and professional interrogation had been introduced with the president asking, obnoxiously, idiotically, "Are you a Jew?"

The question may be asked: So what? And what if Timerman dramatized a bit? Would this change the basic thrust of his message?

I am afraid it would. Anti-Semitism is an Argentine fact of life and should be exposed by all means. But dramatization would mean distortion, enough distortion perhaps to explain why, unlike Timerman claims to be, Argentina's Jews are not a bit worried about an impending Holocaust. Timerman has decreed that they are cowards and fools. But we don't have to take his word for it, just as we don't have to accept the anti-Semitic stereotype that Jews are cowards and cheats.

Prisoner Without a Name is an extremely well-written book and parts of it are truly moving. I don't believe it contains the gospel truth. Nor would it necessarily have to, had not the political establishment of America's Left—for reasons that have nothing to do with worries about the well-being of Argentina's Jewry—made a cult out of its author. May I be forgiven this minority report? □

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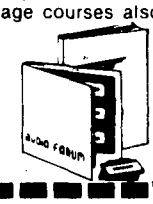

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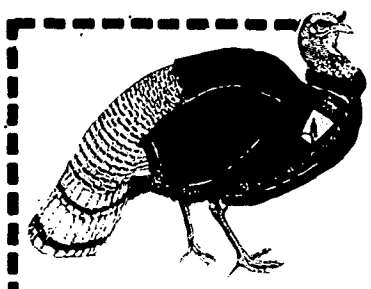

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THE O'CONNOR NOMINATION

by Terry Eastland

On July 7 President Reagan nominated 51-year-old Sandra Day O'Connor of the Arizona Court of Appeals to take Justice Potter Stewart's place on the Supreme Court. Feminists, liberals, and moderates immediately and enthusiastically applauded the nomination: After 191 years and 101 male justices a woman had finally been appointed. Many conservatives approved the nomination because O'Connor, a Goldwater-plated Republican, was said to be a "judicial conservative." The only nay-sayers were on the New Right, mostly in the Right-to-Life camp. Their vigorous, angry dissent was inspired by O'Connor's record in the Arizona Senate, where, between 1969 and 1975, she cast several votes that could be read as favoring abortion. O'Connor flew to Washington the week following her appointment, in part to assuage the fears of anti-abortion senators like Jesse Helms and John East of North Carolina. O'Connor's mission apparently succeeded: Once the Senate resumes business after Labor Day, she is expected to win confirmation by an overwhelming vote.

Chalk up another victory for Ronald Reagan—or so goes the conventional wisdom. With the O'Connor appointment Reagan is said to have reached out to feminists and liberals, while putting some distance between himself and the New Right—an exercise that *Time* and many others in the media find heartening. Still, what Reagan has done in nominating Judge O'Connor is less interesting as evidence of political strategy—for here his adroitness is already acknowledged—than as an indication of the philosophy—or lack of it—behind the strategy.

Terry Eastland is editor of the Virginian-Pilot *in Norfolk, Virginia.*

In all the discussion about Sandra O'Connor the matter of what she believes about the Constitution and how she would interpret it has received short shrift. Yet this is the first question that should be asked of her, or of any Supreme Court appointee. And it is the president who should more than anyone else encourage the public to attend to this question. President Reagan, unfortunately, in the wake of his promises from Campaign '80, encouraged the public to focus on three other questions, two of them irrelevant, and the other not quite on the mark. The first of these, of course, concerned the nominee's gender, the second, his views on abortion, and finally, whether the nominee is judicially conservative, i.e. in favor of "judicial restraint."

As Felix Frankfurter once wrote, Supreme Courts are not "representative bodies." They no more deserve a woman, because she is a woman, than a man, because he is a man, or a black because he is black, or a Hispanic because he is Hispanic. They—we—deserve to have the best available minds exercising the power of judicial review. By promising to appoint a woman, Reagan allowed gender to become the "overriding qualification" for the job, as *Newsweek* later called it. If the *New York Times* continues to indulge in editorials wondering about when there is "validly a woman's point of view in the law" and asking whether O'Connor "will speak up for women's interests if her male colleagues seem oblivious to them," it will have to be said that President Reagan asked for this kind of editorializing, if not also, alas, for a justice who believes in such notions as a "woman's point of view in the law."

Equally shortsighted was the administration's preoccupation with the abortion question. One's views on abortion should have no bearing on how one comprehends the Constitution. To suggest otherwise, as the pro-life lobby has, is to argue that Supreme Court justices should turn their personal preferences into law. This is precisely what Reagan has continually expressed a desire to see ended.

It is interesting, then, to note the lengths to which the administration went to protect itself from criticism on what is, at best, a non-issue. Shortly before the appointment was made, Kenneth Starr of the Justice Department interviewed O'Connor about her legislative record on abortion, the interview forming the basis for the "Starr memo" to President Reagan. In it we find that she voted in favor of a "conscience clause" ensuring that physicians and other personnel who oppose abortion could refuse to participate in abortions and that she, in fact, introduced this particular piece of legislation. The memo also says that O'Connor has no recollection of how she voted in 1970 on a bill that would have legalized abortion in Arizona—all this in a memo that was hardly necessary. But worse still, the memo proved to be inaccurate, incomplete, and apparently misleading. For one thing, the "conscience clause" which she introduced passed unanimously (30-0), scarcely a courageous vote on her part. Moreover, newspaper accounts—so far unchallenged—show she voted for the 1970 bill to legalize abortion in Arizona. Finally, the Starr memo neglects to mention that O'Connor voted against a 1973 resolution (that had passed the Arizona House) calling upon Congress to pass a Human Life amendment. Was the purpose of the memo to make O'Connor's record as palatable as possible to the pro-lifers (and to a pro-life president)?*

Most disappointing, however, was Starr's failure to raise the lone question regarding abortion that *is* relevant to O'Connor's understanding of the Constitution—namely, her views on *Roe* v. *Wade*, the 1973 decision which repealed the abortion statutes of the 50 states by barring them from legislating in any way on abortion performed in the first trimester. Few decisions handed down by the Burger and Warren Courts can rival *Roe* v. *Wade* in disdain for the Constitution. *Roe* exemplifies all those things President Reagan presumably dislikes about the courts: judicial policy-making accomplished by dubious use of the due process clause; disregard for standing and states' rights; circumvention of public opinion as reflected in the legislative process; affirmation of a right—in this case a right to privacy—nowhere found in the Constitution; and selective reliance on scientific opinion on such controversial questions as the beginning of human life.

The Court's "science" has become obsolete, but the Court's decision is still there, on the books, dividing the country as possibly no decision has since *Dred Scott*. Barry Goldwater was right to say that no single issue—including a person's views on abortion—should determine qualification for the Court. But if there is a single case that should be a litmus test, that

*In the week following her appointment, Mr. Reagan, apparently surprised by the pro-life opposition to O'Connor, was forced to remark rather lamely that O'Connor had assured him she was "personally" against abortion. O'Connor, for her own part, also told reporters she was "personally" against the practice.

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case is *Roe* v. *Wade,* and it remains to be seen whether O'Connor shares the dissenting views of Justices White and Rhenquist in that case. (O'Connor's remark that abortion is a suitable subject for legislation is no clue as to what she thinks; the Court in *Roe* also said abortions occurring in the second and third trimesters of pregnancies could be regulated by the states.)

Meanwhile, the portrayal of O'Connor as a judicial conservative, while soothing many conservatives and fulfilling Reagan's promise to appoint such a justice, revealed little about O'Connor's views on the Constitution. A good argument can of course be made in support of a nominee who is intellectually disposed to defer to the judgments of lower courts and legislatures, state and federal, and to resist the temptation to make law—that is, a judicial conservative. But there is a better argument for appointing someone who not only respects the decisions of other courts and the judgments of legislatures, but also believes that the Constitution does contain certain principles—such as that racial discrimination of any kind is forbidden. Such a philosophy of jurisprudence will cause a jurist to refrain from making law, but it will also enable a jurist to know when not to defer to the judgments of others. The Supreme Court, as Lincoln once said, must decide the cases that are *properly* brought before it. There is no virtue in deferring to a lower court's judgment, or to Congress, if its reading of the Constitution is wrong. What is important is that document and what O'Connor believes about it. Thus when it is said that O'Connor is a judicial conservative, we do not have the whole picture; and we shall not have the justice we need if O'Connor turns out to be simply a deferring justice who neglects to speak, as Lincoln also said the Court must do, to "the better angels of our nature."

The problem is that O'Connor's views on the Constitution and her understanding of judicial review are largely unknown. She became a trial judge in Arizona in 1975, and went to the court of appeals in 1979. (Yes, as George Will correctly noted, Reagan "dug about as deep as any president ever has into the state judiciary for a nominee.") Her 29 written opinions mainly covered criminal convictions, workmen's and unemployment compensation cases, divorces, and bankruptcies; she did not have to rule on the federal civil rights laws, nor pronounce on other weightier matters. In a pleasant coincidence for O'Connor, her one law review piece—she has written no books or articles for popular or intellectual journals—was published this past summer, in the *William and Mary Law Review.* It advocates deferral by the federal judiciary to the judgments of state courts on federal constitutional questions. This is somewhat reassuring, but it pales beside what we don't know about O'Connor.

It is said in apology for O'Connor's lack of a more substantial record that there have been previous court nominees about whom little was known, and that anyway how the nominee performs is often unrelated to what he thought before going to the Court. Even so, given the chance to know more or less about a person's thoughts on jurisprudence, a president, obviously, should know more, not less. And those thoughts cannot be reliably disclosed in interviews with the Justice Department or, as it happened, in a 48-minute chat with the president. The far more reliable index of what a person thinks will be found in the individual's legal opinions or public writings, a large and useful deposit of which, in the case of O'Connor, we simply do not have.

Alexander Bickel once said that appointing a justice is like shooting an arrow into the air and not knowing where it will come to rest. If no one can say where O'Connor, about to go in flight, will come to rest, it is also true that no one can much say what kind of arrow we are watching being lifted to the bow. She finished in the top ten percent at the Stanford Law School and is intellectually quite capable, yet I sense she will probably be on this Court what her predecessor was—one of those justices in the "center," who are moved by others and move it nowhere themselves. This of course will still be far better than a "mover" who moves in the wrong direction. And with five aging justices (they are 72 or older), Reagan, one hopes, will still have many opportunities to leave a more clearly defined mark on the Supreme Court. □

THE NATION'S PULSE

REGULATORY PRACTICES

by William Havender

As a cancer researcher at Berkeley, I was recently a guest on a local radio talk show, together with a builder of low-cost homes, a toy manufacturer, and a winemaker intent on making California's finest Pinot Noir. An odder mix of company would be hard to imagine, and that a theme of common enthusiasm would emerge seemed unlikely. But I was wrong. The builder, when asked about the astonishing cost of California housing, couldn't refrain from describing the impact of no-growth zoning and building regulations on raw costs (an estimated 20 percent higher on the typical new home, according to a recent Rutgers University study). The toy manufacturer, in response to some pre-Christmas burbling about the virtues of toys for "children" of "any" age, chimed in with unkind words about the Consumer Product Safety Commission's pointless safety commands. (Did you know, for instance, that sand-filled bean bags are banned because kids might eat the sand?) And the winemaker, in recounting his efforts to get his new and innovative winery off the ground, referred time and again to the regulatory hindrances placed in his way, ranging from the design of his wine labels and the monitoring of every last drop of taxable alcohol to the working conditions of his few employees and the variant (though always costly) licensing requirements of *each* state in which he wanted to market a few cases of his small, boutique output.

I was there to talk about saccharin, cancer, and the folly of the Food and Drug Administration's pending ban. Thus, though we had been invited to the show for different reasons, it turned out that each of us had in common some fearful encounter of the regulatory kind. This chance meeting instructed me on the sheer breadth and pervasiveness of government regulations and their stultifying effects on the productivity of the small entrepreneur. It also caused me to reflect on how much easier it would be to resist regulatory intrusiveness if chaps like these would strike alliances with one another, and if they were also acquainted with the wide body of anti-regulatory scholarship which has matured so vigorously in the last decade.

So it was with a sense of déja vu that I read an extraordinary contribution to this scholarship, *The Politics of Contraception** by the justly honored Stanford University chemist, Carl Djerassi. Djerassi is one of the scientific fathers of "The Pill," a discovery which has not only advanced the capability of people to lead self-determined lives, but which has also supplied an essential means (if not, alas, the incentive) for bringing the growth of world population into step with the inevitably low levels of economic growth obtainable under current political arrangements. What makes this development an enthralling chapter in intellectual history is the fact that it was not merely a serendipitous occurence, but the outcome of far-sighted, purposeful, and risky initiatives. (Pasteur rightly observed: "Chance visits the prepared mind.")

The opening step was the revolutionary inspiration of a maverick chemist Russell Marker in the late thirties and early forties that *animal* hormones of the steroid family (such as the sex hormones and cortisone)

William Havender is a research biochemist at the University of California, Berkeley.

*Norton, $10.95.

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could be synthesized by using certain common Mexican *plants* as starting materials. This insight led to the establishment of a laboratory in Mexico City which became the progenitor of the now-large drug firm, Syntex. The next major step was the daring move of a young chemist—Djerassi—to the then still obscure lab, which meant foregoing the established paths to a career in American academia. The result was not only the first synthesis from cheap and abundant plantstuffs of the medically important hormones—cortisone, testosterone (the male hormone), and progesterone (the natural ovulation-regulating hormone in women)—but also of a derivative of the latter which rendered it *orally* effective. This critical discovery remains the basis of all oral contraceptives.

This, then, is a riveting tale of entrepreneurship, but it has a sobering side as well which is at the core of the book. Indeed, the regulatory climate surrounding the introduction of new drugs has so changed in the two decades since the introduction of oral contraceptives that these same drugs could not now win acceptance. This is not merely a historical observation, for there are good reasons for desiring improvements in oral contraceptives: to develop an even safer methodology (such as a monthly pill which would free women from chronic doses of hormones), to discover a method convenient even for peasant women in the Third World, and to develop a male pill.

Movement in these directions has been hampered by the high costs and long delays entailed in the FDA's testing requirements. Because oral contraceptives are intended for use by healthy women and will affect millions of users over periods of many years, these requirements are far more stringent than for any ordinary medicinal drug. Although a measure of added caution is justified, in Djerassi's view the FDA has gone overboard. The central problems he cites are: 1) the mandating of long-term toxicity and cancer bioassays not only in rodents and monkeys but in a wildly inappropriate species—the dog; 2) the mandating of excessively long and large human trials before the new contraceptive can be marketed. Djerassi notes that bitches, with their semi-annual heat cycle, have little physiologically in common with human females, and on top of that are notoriously sensitive to sex hormones, so much so that beagles develop breast nodules (a mild form of cancer) in response to their *own* progesterone when administered in high doses. Djerassi advises that rather than mandating testing with dogs, as at present, discretion in the choice of appropriate test species should be left to the experimenters. As for the required lengthy pre-market clinical trials which involve thousands of women, they should be replaced by a system of conditional approval and phased market introduction with careful monitoring for side effects, as currently practiced in England.

One should not mistakenly believe that the adoption of Djerassi's suggestions would necessarily increase the level of risk to the public, however minutely. For under the present scheme we would be marking time pending assurance of the total safety of a new contraceptive, while continuing to use an older method whose safety—with regard to the risks of blood clots, endometrial (uterine) cancer, etc.—is precisely in doubt.

In this vein, Djerassi relates a positively astonishing episode whereby the FDA, in its zeal to eliminate risk, actually raised it instead. It so happens that FDA review is required even to lower the dosage in a drug formula (since the lowered dose must be shown still to be effective), causing substantial delays even for this modest step. Thus when rare side effects among Pill users began to appear in the sixties from the daily dose then recommended, no reduction was possible until the FDA completed its review, and it was not until 1974 that the FDA began approving lower dose formulations—some five to six years *after* women in Communist China, of all places, had switched to the routine use of low-dose pills. In short, for over half a decade millions of American women were being needlessly overdosed as a direct consequence of the FDA's dilatoriness. This was not without adverse public health *sequelae* since virtually all the risks associated with oral contraceptives have stemmed from the early, high-dose pill.

Or consider Djerassi's description of the package inserts required by the FDA since 1970. Now a package insert that details for consumers the known risks and benefits associated with the use of a given drug may sound innocent enough. The problem, unfortunately, is that such inserts are not devised by medical personnel intent on presenting a balanced picture of risks and benefits, but by lawyers determined to protect their client from future liability. And so, risks and side effects are exaggerated and benefits understated, frightening women who could use the drug safely into choosing less safe and effective contraceptive methods, including abortion.

Djerassi, unfortunately, is reluctant to draw any larger conclusions from his material. Whether because of a conscious tactical choice or of a simple unawareness of any parallels and related scholarship, the result time and again is Djerassi's laborious rediscovery of the wheel. Sam Peltzman, Bill Wardell, and Lou Lasagna for example, have already documented how FDA requirements governing the introduction of new drug laws cause substantial delays (symptomatically, the term "drug lag" does not appear in the book) Lasagna has also described how some drugs intended for small and specialized markets never get developed at all because of inflated development costs. ("Orphan drugs" is another term that goes unmentioned.)

Djerassi's tunnel focus is so complete that on at least one critical topic—the use of animal models as proxies for humans—he appears wholly oblivious to the battle currently being fought in the testing of food additives and chemicals for cancer. And so far, the score is Lions a gross, Christians, null. The Delaney clause, for example, allows no scope for consideration of the "appropriateness" of the animal model; ingestion of a chemical used as a food additive in *any* species that is found to cause a statistically significant increase in the incidence of tumors (no matter how benign) automatically forces that additive off the market. And OSHA's newly promulgated "generic" carcinogen policy, detailed in some 300 sparkling pages of the *Federal Register* a year and a half ago, reflects the same consensus. Bearing this in mind, Djerassi's plea that dogs no be used in the cancer testing of oral contraceptives precisely because they *do* get cancer from these agents makes no sense.

Thus, although not quite radiant Djerassi is a splendid conductor of light. His book is a jewel for scholars of regulatory questions because it adds yet another well-documented chapter to the dreary recital of regulatory horrors. Djerassi's indictment is doubly powerful, moreover, when we recall that this same scientist has also been involved in bringing to market a new generation of safe selective, non-bioaccumulating, non eggshell-depleting, and non-immunity-building insecticides which are based on turning an insect's own hormones against itself. This scientific and entrepreneurial tour-de force has been virtually quashed by the EPA's dilatoriness and excessive safety requirements, a tale elegantly recounted by William Tucker in the August 1978 issue of *Harper's*. Obviously, there is more at stake here than the simple matter of better contraceptives or a new bugkiller. □

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'HE JERSEY SHORE

by Joe Mysak

The first attraction of the Jersey hore is the beach, stretching for ile after unbroken mile along the tlantic. The second is drinking.

Not drinking in the conventional, nvivial sense, for the Jersey Shore not exactly inhabited by sane eople. I am speaking here of your asic collegiate, gut-wrenching guz- ing, of fabulous and fantastic rinking contests, of sheer stupen- ous quantity battling with bottom- ss capacity, of colossal hangovers. I m speaking of virtual orgies of lf-destruction and alcohol abuse, of lind staggers, dry heaves, the basic hakes, the heebie jeebies, and ltimate *delirium tremens*. I am peaking of morning-after scenes iat resemble nothing so much as hiloh. I am speaking of drinking one by those in search of the First eal Hangover, of drinking as done y the young, by those just learning, nd by those desperately trying to each their peak consumption level, hich, as we all come to know, eclines rather drastically after age 5.

In other words, the stuff of stories old in premature old age, of things e don't even now actually quite elieve we did then, even though ien is not so very many years ago.

The whole Shore thing surpasses ven such events in the Jersey kid's fe as getting a license or going to he prom. For one thing, the Shore is id fantasy land, forever populated ith males and females aged 16 to 8. Sure, there are rich homeowners hose gorgeous oceanfront piles dot he windswept bluffs, whose manses nake up such burgs as Spring Lake,)eal, and Long Branch. But they are iot the Shore. Nor are the occasional amilies—as seen in the typical utomobile ad, the kinds who adorn heir rented cottages with plaques lone up with woodburning sets: THE KENNEDYS—no, they are not the Shore either. At the Shore, such onventional Americans look out of lace . . . gross . . . bizarre . . . even athetic.

oe Mysak did not go to the Shore his year.

No, the Real Shore is kid heaven, thousands of white, upper and middle-class bluejeaned kids on a mammoth, summer-long bender, in cars, awash in beer, the Beach Boys, and Bruce Springsteen. There is no mystery about it. The parents know exactly what is happening, and the kids admit as much when they leer at a friend's parents with a look that says, "Imagine the worst, and know in your heart of hearts that it's all really happening." Instead of panic, the typical parental response is one of studied unconcern. The kid announces that this weekend he's going to the Shore, Beach Blanket Animal House, and the parent says, "Have a nice time at the beach, dear."

The Shore is affectedly low-rent in appearance, although its inhabitants gladly fork over about $1,000 a bedroom for summer bungalows that would not look out of place in Appalachia, suburban Pittsburgh, or the Blue Ridge. Shore towns are planned by the same fellows who laid out Hong Kong, and are bleached white under a fierce sun and a cloudless sky. At the Shore there are no trees. There is no grass. There are no front yards, and there is no ozone layer. The ground, when it is not part of the Garden State Parkway, is sand, blacktop, chipping concrete, splintery grey wood, broken glass almost exclusively from beer bottles, and bottle caps. The Shore is, in a word, unrelieved. The beach is interrupted only by vast plastic and neon palaces of garish design and vulgar appeal, known quaintly as boardwalks.

The boardwalks, which are only sometimes made of boards and more often of asphalt, have provided the state's only contribution to the architect's vocabulary: Shore Gothic, best described as an agglomeration of structural summer designs dating from 1870 through 1958, when all construction apparently ceased. Nothing at the Shore is ever torn down, ever —but in some rare cases it is moved from one spot to another. The only way to kill it is to blow it away in a hurricane, which happened in 1938, or to dynamite it. Even then, it is never really gone, but rather towed out to the 4000 Loran Line, where it provides homes for tilefish and Big-Eye tuna.

A number of distinct styles have emerged from Shore Gothic, but are known only to experts. There is vintage Cape May, which is Victoriana run amok, Asbury Park, variously known as Newark-by-the-Sea or Big Arcade Slum, and Atlantic City, which, before the steel and glass revival of the Casino Age, was Ocean Art Deco.

The Shore also has a population of millions of cars, whose existence is separate and distinct from the thousands of tender delinquents who apparently own them. Here we have the better kid cars: Corvettes, Trans-Ams, Firebirds, Camaros, Mustangs, Triumphs, BMWs, and Volkswagens —as well as the miscellaneous ancient wrecks usually driven by the young.

Now that the stage is set, follow a typical group through a Shore road trip. Consider, for a heroic but hardly unusual example, the Cranford Athletic Club, which in its more exuberant years rented a house in the notorious Shore ghetto of Manasquan. Five, sometimes ten, but no less than three members would storm the Shore after a Thursday night consisting of three hours of softball in the Cambodian heat of central New Jersey, followed by four hours of heavy-duty beer drinking in the 35-degree reaches of the famed Frenchy's beer hall, previously described in these columns.* As many ACs as were going down would pile into one car, preferably the '69 Cadillac convertible with the 470 engine, and roar down the beautiful and picturesque Garden State Parkway. They would roll into Manasquan around 2 a.m. Friday morning and collapse.

Friday they would go to the beach, watch the girls, swim, watch "My Three Sons" on television over lunch, comment on the absence of the really good early episodes featuring William Frawley as Bub (because those were shot in black and white), discuss the sinister aspects of Fred MacMurray ("he showed his true colors in *The Caine Mutiny*"), and tackle such favorites as cars, girls, war, What They Will Do, possible salaries, Everyone Else, sports, Sunday's double-header, and the transcendental qualities of the ocean. And they would drink.

In the waning twilight hours, one of them might begin car-fighting, a sport inspired by Jean Shepherd and by Ernest Hemingway's *Death in the Afternoon*. In car-fighting, the matador steps into the street with a shirt or tartan plaid blanket, waves it, and executes several passes against automobiles, at times on his knees. Amateurs usually choose cars with dimensions of cabin cruisers, while more advanced matadors readily challenge smaller, more maneuverable Toyotas and Datsuns. The bigger autos make more of an impressive show, but the smaller ones take more skill to fight.

But this goes so far and no further. The boys drink. And drink, case after case of Michelob, Budweiser, Heineken, Miller, Schlitz, Schmitz, and Shaefer. Some of the more lasting records of prodigious consumption include 34 cans in an eight-hour stretch, and 21 in less than three hours. At one point, it was estimated that every five seconds somebody on the Shore is knocking down a brew. Experts have noted that the Jersey Shore consumes more beer, from May to September, than does the continent of Australia in a year. The reasons are complex, and probably understood only by Aleuts and Swedes, who have delved into the effects of environment upon alcohol consumption at great length, most notably in Bergman films and in the carved scenes on walrus tusks. A few psychologists have opined that most of those who occasionally visit the Shore are hell-bent for alcohol, while those who rent houses there are so bored out of what is left of their minds that they try to drink them-

(*continued on page 36*)

*"Frenchy's of Roselle Park," *The American Spectator*, May 1980.

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BOOK REVIEWS

THE LITIGIOUS SOCIETY

Jethro K. Lieberman / Basic Books / $13.95

Joseph W. Bishop, Jr.

Anyone who, like me, regularly riffles through or even hefts the advance sheets (weekly paperback collections of new cases, federal and state) knows that they are getting thicker and heavier every year. They confirm Jethro K. Lieberman's basic point, which is that we live in an ever more litigious society, with people running to court in numbers that would have been unimaginable forty years ago. In those days ordinary people entered a courtroom, or even a lawyer's office, timidly, unhappily, and only under the pressure of dire necessity. Mr. Lieberman describes and analyzes some of the major causes of the alarming hypertrophy of litigation.

Some kinds of lawsuit that have in theory existed for centuries are now far easier to bring and win. One example, to which Lieberman devotes a longish chapter, is the injured consumer's action against the manufacturer of a dangerous product. In the last century, and indeed until about 1920, the general rule (to which, however, the courts invented more and more exceptions) was that the consumer could not sue a producer with whom he was not in "privity"—that is, unless he had purchased directly from him, which, of course, was very rarely the case with any kind of manufactured product. Even when this requirement was relaxed, the victim still had the formidable problem of proving that the maker had been negligent, despite the fact that the plaintiff had no idea of what went on in the defendant's factory. Today he need show only that the product was "defective"—the brakes didn't work or the canned fish was full of salmonella bacteria—but not how it got that way. Moreover, the maker of a defective product may not plead the usual tort defense that the plaintiff had not proved that his conduct, whether or not tortious, had caused the injury. A victim of a dangerous drug may recover from every manufacturer in an entire industry, even though he cannot show which one produced the drug that injured him. Example: The drug DES, taken by pregnant women to prevent miscarriage, proved to be the cause of vaginal cancer in some of their daughters. Usually, of course, the victim did not know which brand her mother had taken many years before. But some courts have held that she could sue *any* manufacturer who could not prove that his product was not on the market at the time and place. A single manufacturer might be liable for the whole of her damages (with or without a right to seek contributions from other producers), or only for a part corresponding to his share of the market.

Likewise, a manufacturer may be largely denied the defense of contributory negligence—that the plaintiff's own fault was a cause of his injury. If a tire was "defective," it doesn't matter that the user was doing 120 m.p.h. when it burst; the producer's only defense is that the consumer *knew* that the product was dangerous but chose to ignore the danger. Some of the verdicts boggle the imagination—$125 million to the victim of a Pinto gas tank that burst into flames in a rear-end collision (though a niggardly court cut it down to $6.5 million). The million-dollar verdict, never heard of before 1962, now barely makes the newspapers. The premiums for product liability insurance are so high that many small businesses prefer to "go bare" and take their chances on bankruptcy.

So with medical malpractice, on which Lieberman spends another chapter. When I was learning Torts before World War II, it was nearly impossible to sue a doctor, largely because the patient had to prove what the doctor did (which wasn't easy when the plaintiff was under general anaesthesia), and, if he got over that hurdle, to show by expert medical testimony that whatever the doctor did was not up to the standards of good medical practice in the community. Few physicians would take the stand against a colleague. Moreover, the doctor was held only to the standards of the locality—a country blacksmith was not expected to know as much as a metropolitan specialist—and of his own "school" of medicine; the question was not whether twisting the patient's neck to cure cancer was sound medical practice, but whether it was good chiropractic practice. About the only case in which the victim had a chance of recovery was the exceptional one in which a jury of laymen needed no expert witness to find that what the doctor did was below any imaginable standard of care—e.g., that the surgeon had removed the wrong kidney. But ingenious legal devices—notably a vast expansion of the rule of *res ipsa loquitur* ("the thing itself speaks," meaning that if the court decides that common experience shows that particular injuries don't usually occur without negligence by the defendant a mere showing that the injury occurred is enough to get plaintiff to the jury)—the courts in thirty years swung the pendulum from one extreme to the other.

There are still other causes, no less important, for the enormous expansion of malpractice litigation. For one thing, far more, and more complex, medical services are available to more people than was the case even twenty years ago. (The largest dispenser of free medical care is the Veterans Administration, and the United States is also the commonest defendant in malpractice suits.) A related phenomenon is that, whereas in the old days the doctor was often a personal friend of the patient, who was correspondingly reluctant to sue him, nobody feels that way about a Veterans Administration doctor or a specialist he has never seen before. (Mr. Lieberman suggests, however, that a good bedside manner, a convincing appearance of friendliness and sincere interest in the patient's well-being, may still be an important preventive of charges of malpractice.)

Arguably the pendulum has swung too far. The premiums for liability insurance (which Mr. Lieberman thinks excessive) are a significant factor in the rocket-like rise of the cost of health care, and pervasive fear of liability may even contribute to a deterioration of the quality of that care. Many doctors practice "defensive medicine" by ordering

Joseph W. Bishop, Jr. is Richard Ely Professor of Law at Yale University.

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numerous, expensive, and often useless laboratory tests, recommending costly second opinions, and (in order to forestall charges that the patient was not adequately informed about the risks entailed in the therapy) by frightening him half to death with descriptions of all the horrible (though very unlikely) things that may happen if something goes wrong. (Medical paranoia is vividly illustrated by the "Good Samaritan" acts which medical associations have lobbied through many state legislatures. Such statutes provide in substance that a physician who renders first aid in an emergency shall not be liable for anything short of gross negligence, or perhaps shall not be liable at all. But there is no reported case in which a doctor has been held liable in such circumstances.)

The other learned professions are not immune. Lawyers are by no means bashful about suing other lawyers, and the cost of legal malpractice insurance has soared accordingly. Malpractice insurance is even offered to the clergy, although there is no example of a holy man being haled to court for professional incompetence. (It would be difficult or impossible to prove that his prescriptions for salvation were wrong.) Nor am I aware of any instance in which a faith healer has been sued because his magic didn't work.

There are other fertile fields for litigation, not mentioned in *The Litigious Society,* which forty years ago either did not exist at all, or produced only a scanty crop. There has, for example, been a lush growth in the number and variety of stockholders' suits against corporate managements and investors' suits based on common law fraud and violations of the federal securities laws. Directors' and officers' liability insurance, commonly known as D & O, which did not exist in 1962, is now carried, in large amounts and at hefty premiums, by about 90 percent of large corporations, including 93 percent of those listed on the New York Stock Exchange. (Some of the other 7 percent no doubt wish they had it but have managements whose malodorous reputations make them practically uninsurable.) Management, of course, regards any such plaintiff as a "striker," attempting to extort a settlement by blackmail (which today is generally untrue), and not so long ago a lawyer who represented such nuisances was regarded as little if any better than a shyster. Today the most elegant firms on Wall and LaSalle Streets do not blush to file such suits.

A high percentage of the present caseload of the federal courts, also overlooked by Mr. Lieberman, developed out of a 1939 decision of the Supreme Court that a convicted criminal who could persuade a federal judge that his conviction was tainted by some violation of his constitutional rights (e.g., an unlawful search and seizure) was entitled to a writ of *habeas corpus*—that is, an order springing him from the state pen. Literate prisoners (and many who are not, but who arouse the sympathy of zealous lawyers) can relieve the tedium of incarceration by research in the prison's law library and the composition of incessant petitions for *habeas corpus*. Indeed, the constant expansion of the rights of criminals has meant that locking up a felon may involve half a dozen or more complex court proceedings. This, however, is not the place for a discussion of the question whether too many "liberal" judges have displayed excessive solicitude for criminals and little or none for their victims. All that need be said is that thugs and swindlers are at least as litigious as honest citizens. →

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Another major cause of the prosperity of lawyers is their unflagging fertility in the invention of novel causes of action. Some of the more bizarre (and unsuccessful) suits described by Mr. Lieberman—e.g., a suit by an Italian-American group to enjoin the Postal Service from issuing a stamp honoring Alexander Graham Bell, on the ground that the real inventor of the telephone was an Italian—are, as he recognizes, intended only to furnish publicity or kicks to the plaintiffs. But some of the new torts may result in substantial awards to the plaintiffs and large fees to their lawyers. Twenty years ago no one could have imagined suing a doctor for "wrongful birth," to recover damages for the cost and mental distress inflicted on parents by the birth of a defective child, on the ground that the doctor negligently failed to diagnose the defect *in utero* and advise the parents of the possibility of an abortion. Or "wrongful pregnancy," a failure to prevent the conception of a healthy but unwanted infant. To be sure, no court has yet allowed a suit, on behalf of a defective infant, for "wrongful life" —that is, the injury suffered by being born a Mongolian idiot instead of being aborted. But there have been dissents in such cases, and there is a measurable possibility that some super-liberal court will manage to get around the intrinsic difficulty of asking a jury to decide whether it is worse to be an idiot than not to be at all. In another example of creative legal imagination, a very recent decision of Maryland's highest court, which might easily have gone the other way in a less conservative jurisdiction, refused to hold the estate of a suicide liable to his divorced wife, who claimed that by killing himself he had deliberately caused a substantial reduction in her alimony.

The judges are not responsible for all of the crushing burden of litigation. Legislatures and regulatory agencies, stimulated by Ralph Nader and his eager disciples, often seeking a freedom from risk which is either impossible to achieve or not worth the cost, have created innumerable private causes of action—OSHA, requirements for automobile safety equipment (we barely escaped having to pay for air bags), and, above all, environmental regulations, the source of suits which in length and complexity rival *Jarndyce* v. *Jarndyce,* which complicate inordinately the formulation of a coherent and effective policy on energy, and which may thus do far more harm to the public interest than ever was done by the Chancery rules in the time of *Bleak House*. One enthusiastic law professor has even suggested that nature itself—forests, lakes, mountains, wildlife—ought to have standing to seek injunctions against harmful human activities, with the lawyers for the fish or the trees being generously compensated by the defendants if the plaintiffs win, or perhaps even if they lose.

Practically all of this litigation is fueled by the rule, by and large peculiar to the United States, that a lawyer can ethically take a case on a contingent fee basis—that is, if he loses his client owes him nothing, if he wins he gets a third or more of the recovery. Indeed, modern practice apparently permits the lawyer not only to render his services without charge if he loses, but also to pay out of his own pocket other, often heavy, costs of litigation—expert witness fees, travel, printing, and so forth. This looks very much like what used to be known as "champerty and maintenance" and was thought to be highly unethical. But the latest version of the American Bar Association's Model Code of Professional Responsibility (formerly known as The Canons of Ethics) is singularly weasel-worded on the subject. A

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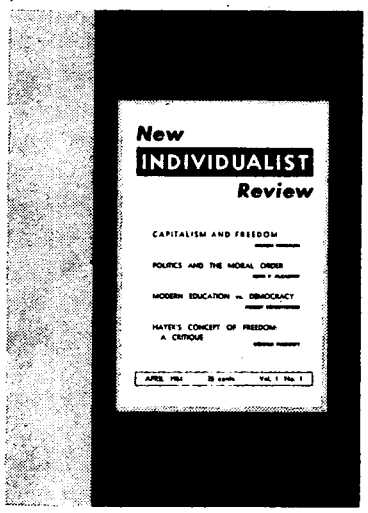

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lawyer may not pay any of the expenses of litigation, but he may "advance or guarantee" them, "provided that the client remains ultimately liable for such expenses." What is left brilliantly unclear is how hard the lawyer is supposed to try to enforce that obligation if a losing client doesn't pay.

But despite all the obvious evils created by the contingent fee system, neither Mr. Lieberman nor I think it ought to be abolished. Without it many impecunious victims of other people's misconduct would have no means of obtaining redress. In practice it does not encourage frivolous or harassing litigation, for no competent lawyer will invest his time (and money) in a case unless he thinks that it is meritorious enough to make recovery likely. For cases that do in fact look like legal blackmail there ought to be provisions (as there are in some contexts under some statutes) obligating an unsuccessful plaintiff to pay the defendant's counsel fees.

It does seem to me, however, that the contingent fee idea has been somewhat overstretched by federal statutes which authorize a judge to award fees to counsel in environmental suits whenever he finds that such disbursement of the taxpayers' money is "appropriate." Very recently the National Wildlife Federation, the Center for Law and Social Policy, and a few other lawyers, who had unsuccessfully sought to enjoin the Interior Department from leasing oil sites in the Beaufort Sea, nonetheless persuaded the judge to reward their zeal with nearly a quarter of a million dollars, based on hourly fees ranging from $45 to $125. In fact, the *soi-disant* "public interest" law firms, which are sometimes not quite so exclusively devoted to civic virtue or so indifferent to lucre as they like to let on, have shown considerable virtuosity in talking judges into allowing splendiferous fees—which, it will be noted, do not come from their clients, for they are commonly representing themselves.

Perhaps the biggest problem of all, one that Mr. Lieberman has not given the space it deserves (which would amount to a long book), is the steadily increasing readiness of judges, particularly federal judges and more particularly left-liberal federal judges, to use their injunctive power—the authority to command this or forbid that—to turn into law their personal notions of right and wrong. They forget or dismiss as reactionary and "insensitive" Felix Frankfurter's wise observation that a Justice of the Supreme Court (or presumably any other judge) should not "sit like a kadi under a tree dispensing justice according to considerations of individual expediency." They substitute themselves for legislatures, for School Boards, for Commissioners of Correction. They direct in minute detail the operations of public schools, mental hospitals, and prisons. One hyperactivist judge, having decided that prisoners have a constitutional right to rehabilitation (which most criminologists have come to realize is in most cases impossible), threatened to order the state to sell property to finance his very costly retraining program. (Fortunately he was reversed.) Others order busing programs which may require schoolchildren to spend two or three hours a day in transit, until the judicial zeal defeats its own object by stimulating "white flight" to localities so distant that the judge has to give up the pursuit. They formulate strict rules for protecting disruptive students from disciplinary action in the public schools, and for eliminating "cultural bias" in testing the pupils. Their intervention in such matters has not produced happy results: It is conceded even by Albert Shanker, the president of the American Federation of Teachers (who is naturally a strong believer in public education), that today private schools, which are fairly free of such meddling, provide a better grade of education.

Of course the disposition of some judges to consider themselves as commissioned by the Constitution, or maybe God, to sit as the ultimate *Gesetzgebers,* the conscience of the state, is not new. Mr. Dooley remarked some seventy years ago, "I do not care who makes th' law iv a nation if I can get out an injunction." He was talking about the way in which the majority of the Supreme Court of those days wrote their own ultra-conservative economics into the Fourteenth Amendment, striking down legislative efforts to improve the conditions of labor. And though the personal morality of modern judges is very different, the principle has not changed. What has changed is the scope of judicial usurpation of the powers of the other two branches. All that restrains the more socially conscious federal judges is the fact that none of them has yet figured out a constitutional basis for a mandatory injunction creating new taxes, though some of them have come close. They can order the sale of state property, or enjoin the use of public funds for what they regard as less desirable purposes. They can threaten to order a general jail

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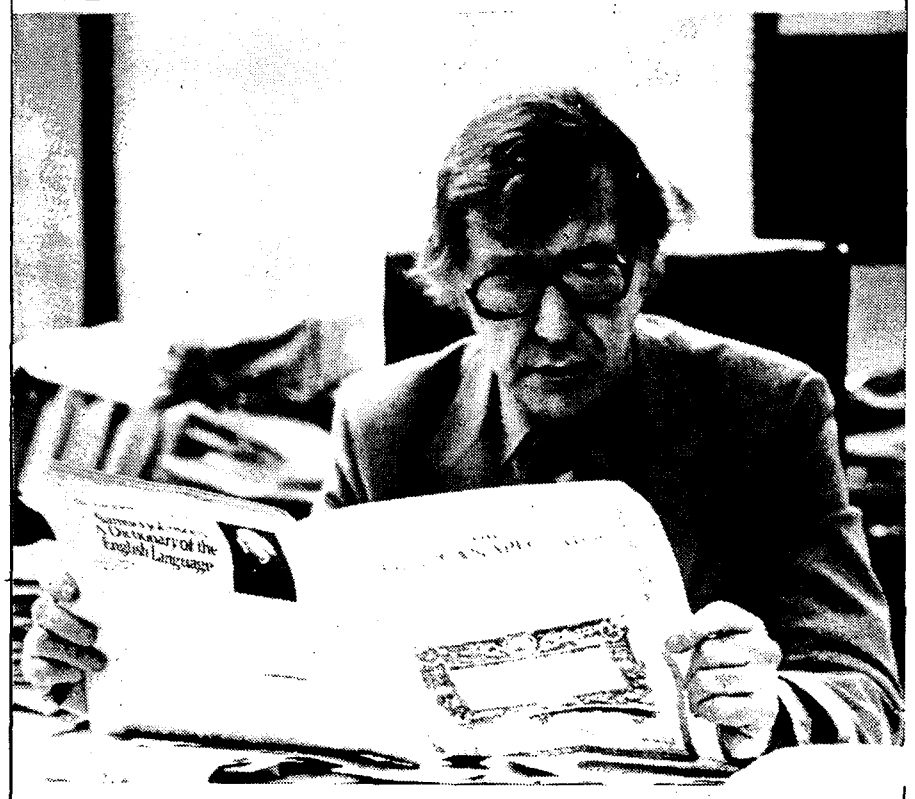

Albert Shanker.

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delivery unless the legislature comes up with funds to improve prison conditions. But one wonders whether judges, not all of whom are experienced politicians, are really better fitted than elected officials to set priorities for the expenditure of what is, after all, a limited amount of public revenue.

And yet it must be recognized that in some circumstances the courts are justified in stepping in to fill a vacuum left by the legislature. Take *Baker* v. *Carr,* the one-man-one-vote case, in which the Supreme Court ordered Tennessee to reform its allotment of members of the legislature among its counties, so that each county was represented in approximate proportion to its population. (A vote in rural Moore County had been worth nineteen in urban Hamilton County.) Obviously the Tennessee legislature, dominated by the country politicians, was not going to reform itself: Only the Court could intervene. Descriptions of the frightful conditions in some prisons and mental hospitals make me sympathize with judges who stretch their powers to correct them. But such assumption of legislative power ought to be used with great restraint. If it were, there would surely be a helpful reduction in the caseload of the federal courts.

Despite the general excellence of *The Litigious Society* there are, inevitably, inaccuracies and exaggerations. It is not true that "the common law itself developed through the antics of the tiny class of aristocrats." The *dramatis personae* of the famous cases of the seventeenth and eighteenth centuries were often far from the nobility. To mention only a few, familiar to every lawyer who remembers his study of the history of the common law, *Armory* v. *Delamirie* (1722) involved a chimney sweep who had found a ring and a goldsmith's apprentice who tried to cheat him out of it. The plaintiff and defendant in *Weaver* v. *Ward* (1617) were members of the London trainbands who were skirmishing with loaded muskets. The protagonists of *Fetter* v. *Beale* (1699), which laid down a basic principle of the law of damages, were topers who got into a tavern brawl. Likewise, there is very little evidence to support the assertion that there was a time when "no duty of care [was] owed to anyone." But Mr. Lieberman disclaims any intention to write a legal treatise, and such occasional lapses are pardonable, especially when for some of them he can cite the authority of people who do claim to be legal scholars.

The tidal wave of litigation clearly produces some evils, such as discouraging entrepreneurs from introducing new but perhaps unsafe technology, increasing the cost of medical care, and frustrating the development of new (or even old) sources of energy. But on the whole I am inclined to agree with Mr. Lieberman, who does not ignore these evils, that too much litigation is better than too little redress for innocent victims of automobiles, drugs, and all the risks inevitably created by modern technology. Still, there may be things that could be done to mitigate the evils without abolishing the new and fairer system of redress.

I don't see much hope in "uniform federal legislation setting forth a standard of care" for manufacturers: It is hard to imagine the draftsmen producing anything much more precise than the common law's "reasonable care in the circumstances," and there would probably be just as much argument and just as many jury questions as there are today. No-fault legislation could do much to reduce the cost of litigating fault (most of your liability insurance premium goes to the lawyers), but in all but one or two states the American College of Trial Lawyers and similar organizations (very powerful lobbies, for lawyers are grossly overrepresented in most legislatures) have managed either to defeat or emasculate such bills. The favorite technique is to set a very low threshold of medical expenses, in New Jersey only $200, above which the accident victim retains his good old common law remedy, including "pain and suffering." Workers' compensation, under which employees are compensated without regard to the employer's negligence, but also without damages for pain and suffering, certainly cut the cost of paying the victims of job-related accidents, but it is probably today not really popular with labor. The Railroad Brotherhoods have managed to beat it off, and to retain their common-law tort remedy, for three quarters of a century. Today the first effort of counsel for an injured worker is to look for some third party—say the manufacturer of the machine which hurt the employee—to sue at common law.

Limits could be placed on damage awards, especially for "pain and suffering," often a term of art meaning "counsel fees," which is frequently the largest component of an award. The $10 million dollar verdict handed down by a jury, full of a philanthropic desire to do something nice for a victim so long as it can be done with somebody else's money, really makes no sense: It is much more than is needed to cover the medical expenses and lost earnings of even a paraplegic, and no amount of dollars can really make up for blindness or life in a wheelchair. Mr. Lieberman is almost certainly right in suggesting that the size of liability insurance premiums is usually even greater than is justified by the risk. People whose suits are truly frivolous, brought mainly to harass or blackmail the defendant (though such suits are not very common), ought to be made to pay at least his counsel fees. Congress could constitutionally curb the powers of federal judges, as it has done at least twice in the past when (as in the case of injunctions against strikes and peaceful picketing) it thought those powers were being abused. This is, however, very strong medicine, not lightly to be prescribed.

At any rate, Mr. Lieberman has done a commendable job of describing and documenting a serious problem of which most of us were vaguely aware, but whose details and dimensions we didn't know. □

GORKY PARK

Martin Cruz Smith / Random House / $13.95

John R. Dunlap

Over the past half decade, something odd has taken place in bestsellerdom. Suddenly it's become almost chic to view the Soviet Union through lenses untinted by indulgent Western rationalism. Amid the usual potboilers that turn on corporate fraud, CIA turpitude, and neo-Nazi recidivism, a handful of bookstore biggies have pursued themes of Soviet intransigence, KGB perfidy, and Western insouciance about Soviet intentions. *The Third World War,* Sir John Hackett's odd 1977 mix of pseudo-documentary narrative and weapons-manual jargon, hit the top twenty in paperback after the Soviet invasion of Afghanistan. *The Spike,* Arnaud de Borchgrave and Robert Moss's odd *roman à clef* about Soviet disinformation, is now selling briskly in paperback after lingering for months on the *New York Times* bestseller list. And, bless him, America's resident Cassandra, Allen Drury, has lately come out with the odd *Hill of Summer,** which extrapolates a complicated series of determined Soviet maneuvers and fatuous Western blunders issuing in a Soviet strategic checkmate against the United States. Odd books-of-the-hour, all of them—useful, no doubt, for their unsentimental views of Russia's socialist experiment and possibly of interest to future cultural historians, but eminently forgettable to future literary historians.

Gorky Park is odd too, but gorgeous: a detective thriller carefully researched for a Moscow setting and a Soviet backdrop. Our hero, the Moscow militia's Chief Homicide Investigator Arkady Vasilevich Renko —a tall, dark-haired Ukrainian, thin but somewhat paunched in his early middle age—chain-smokes through an elaborate investigation of a triple murder. Three bodies are uncovered in Moscow's Gorky Park, buried together under the ice beneath the snow. The bodies are preserved by the freeze, but the fingertips are sheared off and the faces neatly flayed: a professional job, evidently, but who did it? And who are the mutilated victims?

Struck by the professional quality of the murders and dogged ineptly by an underling whom he knows to be a KGB informer, Arkady Renko can't understand why the KGB doesn't take the case off his hands—and he hopes at first to wash his and the militia's hands of the grisly business by finding evidence that would require him to turn the case over to State Security. But the KGB stands back, watchful, even as Arkady gathers evidence that puts the murder case far outside his usual investigative area (drunken family hatchet murders and the like).

The clues lead him soon enough to the identities of the three murder victims (two Siberians, male and female, and one American male) and to his prime suspect, a wealthy and ruthless American furrier with chum-

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John R. Dunlap teaches English at the University of Santa Clara.

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my connections to the Soviet hierarchy. But what could the motive be? And why is Arkady allowed so much latitude in his investigation? And how far can he trust Kirwill, a vengeful New York City detective, fluent in Russian, who comes to Moscow as a tourist and then falls in secretly with Arkady to settle a score for the death of a kid brother, the American murder victim? Like borsch with unexpected pinches of cornstarch, the plot thickens without quite getting pasty, and in Moscow Arkady's painstaking work dislodges a number of ironic surprises which combine to earn him a lengthy round of ascetic molding at a KGB interrogation center isolated amid the peat fields outside Shatura; a few more surprises persuade Arkady's KGB tormentors to send him to New York City, where he discovers that . . . sorry, you'll have to read it.

Gorky Park triggers a generalization which, for some years now, my reading experience has evidently been tamping into the muzzle of my unconscious: "Popular novelists make the best researchers." It's a thunderous generalization—rather like "Women are emotionally stronger than men"—a cheeky inference: semantically idiosyncratic, logically preposterous, empirically unverifiable—and probably true: On the whole, popular novelists probably do make the best researchers.

It may have to do with the fact that the conscientious novelist, always obsessed with detail, does his research in order to "get it straight," whereas even the conscientious professional scholar, usually attuned to controversy, often conducts his research in order to prove a point (or, euphemistically speaking, to "examine a hypothesis"—and if you think I overstate the case, read David Hackett Fischer's *Historians' Fallacies*). At any rate, if you want to nibble on the roots of Western culture and haven't the time nor the inclination to acquire Greek and Latin, you'd do better to dip into the novels of Mary Renault, Lawrence Durrell, or Robert Graves than you would to spelunk in the cavernous abodes of Wilamowitz-Moellendorff, Michael Rostovtzeff, or M.I. Finley. Or if you want to know what the Old West was *really* like, you should read Louis L'Amour; if you're no explorer but merely into cultural geography, you may as well wade through James A. Michener; and if you care to risk learning a little about everything (without, that is, any risk whatever to your sense of style), a well-wrought detective/adventure novel is a good start, and we have the work of such luminaries as Dorothy Sayers, John D. MacDonald, Daphne DuMaurier, John le Carré, Alistair Maclean . . . and now a splendidly scrupulous talent by the name of Martin Cruz Smith.

In Mr. Smith's *Gorky Park,* for example, we learn that Moscow pay phones operate on two-kopeck pieces; that Russian racists (which is to say most of Soviet officialdom in Moscow) hate Africans, Jews, and Orientals more or less on the sly, but are oddly candid about their feelings of superiority over Arabs; that Soviet prosecutors represent the state *and* the defendant—defense lawyers, for those who can get them, are trained in a single specialty: plea-bargaining; that in the lexicon of Russian street talk the proper way to express exasperation is by an idiomatically inscrutable expletive "*yob' vashu mat'*" which translates as "F--- your mother"; that the best lapis lazuli is found in Siberia; that an *urka* is a professional criminal; that in Russia the only legal use of gold is to restore ikons for the tourist trade; that by American law Russian mink cannot be imported into the U.S., but Russian sable can; that Moscow's older buildings must be checked

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annually for bricks loosened by the winter cold; and so forth. The information is chunky, but never obtrusive, always blended with purpose into an exquisitely tangled plot, with an often lyrical expression of setting and mood and character. Sample this trope:

> The walls wept. Besides surface rivers, ancient underground rivers burrowed through the city, blind and unseen currents with lost directions. Sometimes in winter half the basements in Moscow cried.

Or sample this deft brushstroke for a psychological portrait of a devious minor character: "A figure of white or black painted by his own winks, supported by the names he dropped." And in Mr. Smith's portrait of the main character, Arkady Renko, we also learn something of what it's like to live in the Soviet Union.

Mr. Smith's dramatic stitching is astonishingly plausible—neatly tailored to the grim reflections of Solzhenitsyn and to the grimly hilarious observations of Voinovich. It takes quite an imaginative leap, but, given the suppleness of the human spirit and the imbecility of the police state, a character like Chief Investigator Arkady Renko follows. The Chief Investigator is a Communist, of course. But the stamps on Arkady's Party card seem always to show him a few months behind on his dues, and Arkady professes Communism with the intensity of a George Smiley professing Sunday-morning Anglicanism: a professional sleuth, mildly cynical, vulnerable under the calluses, utterly competent at his work —and utterly bewildered by the universe outside his work.

In Moscow half of Arkady's energies (and many of *Gorky Park*'s most spell-binding ironies) are taken up by his intricate, sometimes comic maneuvers in, out, and around the ritual frauds of bureaucratic busybodies and the murderous shenanigans of KGB goons. In a totalist police state, the ordinary policeman is no less oppressed than the hapless citizen, and one of the minor feats of *Gorky Park* is that it exposes—incidentally and therefore powerfully—the very core of the totalitarian social order: a system that tacitly encourages its captive people to hate each other.

But the major feat is the characterization of Arkady Renko—whose misty entanglement with Irina, a dissident Mosfilm actress, is no less futile than his early tortured efforts at salvaging his paper marriage to Zoya, an unloving would-be Party apparatchik—and who runs into a different order of trouble in New York City, where, even without his principal conflicts, his energies are half drained by sheer cultural anomie: The houses are too roomy, the cars too mottled, the roads too paved, the lights too many, the people too starched and perfumy, and his detective counterparts in the NYPD: They're so damned *independent.* Lord Peter could have adjusted easily —not Investigator Arkady, whose routine flashes of brilliance are powerless to illuminate his own *angst.* With every precise question of detection he formulates, Arkady aches vaguely with the cosmic "Why?" And at one point or another in this vigorously compassionate novel, just about every character—whether downright evil or merely tormented—literally or figuratively wants to kill Arkady Renko.

Kingsley Amis once remarked that a critic should resist the temptation to call a fine writer a "creative artist." The writer may believe it, and his writing may consequently go to hell. Suffice it, then, that *Gorky Park* is, by his own approximate count, Martin Cruz Smith's thirty-first novel—and, by his own evaluation, Mr. Smith's first truly good novel.

The pattern is familiar: Hack writer hones skill into craft and then, maybe, transcends craft with art. But it's surely a scary time for the writer, when he produces something like *Gorky Park,* an eight-year labor that wavers beyond a consistently expert craftsmanship toward genuine art. Kurt Vonnegut, Jr. evidently exhausted his talent with *Slaughterhouse-Five* and should have stopped, as Walter M. Miller, Jr. stopped writing after producing the well-nigh perfect *Canticle for Leibowitz.* On the other hand, Balzac kept writing after *Le Dernier Chouan,* and the dust-cover tells us that Mr. Smith is "currently at work on a novel about New Mexico."

We wait, then, as I shinny out on a critic's limb to note a scintillating creative flair about *Gorky Park:* not a single constipated sentence, not a trace of the intrusive artistic temperament, not a page lacking that telltale suggestion of the effortless, which, for the writer, follows only on great effort wed faithfully to minute detail. *Gorky Park* invites more than one reading, and reads as if there's more and maybe even better to come.

So read it and enjoy it and place your bets. My money's on Martin Cruz Smith. □

NATIONAL DEFENSE

James Fallows / Random House / $12.95

Francis Fukuyama

James Fallows, a former Carter speechwriter who had the sense to leave the administration early, has written a short book of U.S. defense policy designed for the general reader. Fallows admits that he is not a professional defense specialist and, like many Carterites, was of the generation opposed to the Vietnam war and things military in general. His book is not polemical and a number of his conclusions are quite sensible, but others are more confused if not downright misleading. And though *National Defense* is a readable and at times absorbing introduction to certain select defense topics, it unfortunately seems destined to become the gospel of the late-night talk show crowd.

A good example of how Fallows mixes sensible ideas with confused ones is his discussion of aircraft procurement. The Quantity-Quality debate is by now an old one in the Air Force. Since World War II the real cost and complexity of first-line combat aircraft have been increasing at a phenomenal rate, such that the military will be buying only 250 this year as opposed to an annual average of nearly 3,000 in the 1950s. Although modern fighters are individually far superior to their predecessors, it is quite legitimate to ask whether we would not be better off acquiring substantially larger numbers of more austere aircraft.

In this debate Fallows comes down on the side of the so-called "Fighter Mafia" in the Pentagon—men like John Boyd and Pierre Sprey who have consistently argued that such cost increases have been driven by excessively abstract and demanding performance criteria which are mostly irrelevant to real-world combat requirements. Recognition of this problem began in Vietnam, where the Navy and Air Force found that hot new planes like the F-4 were getting shot down by Korean-war vintage MiG-17s and -19s. Maneuverability, when combined with tactics and pilot skill, often proved to be more important in air-to-air combat than maximum speed or ceiling. This led the Navy to establish its Top Gun and the Air Force its Red Flag program designed to give pilots realistic combat training. The Air Force was not a little embarrassed to discover at Red Flag that in engagements involving more than two airplanes a relatively simple F-5 costing approximately $5 million would often "shoot down" sophisticated F-15s costing $25 million.

Beyond the conceptual problem lies a bureaucratic one of persuading

Francis Fukuyama is on the Policy Planning Staff at the Department of State.

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the services to absorb such lessons, as in the case of the F-16. The F-16 was the brain child of the Fighter Mafia—a light, maneuverable, austere fighter pilot's fighter, which was supposed to be a low-priced complement to the Air Force's preferred but expensive F-15. The civilian leadership in the Pentagon forced the F-16 on a reluctant Air Force, which proceeded to write new requirements for a more powerful radar and a ground-attack capability. The result was a heavier, more complex, multipurpose fighter-bomber costing nearly twice the original price.

There would be no problem in accepting Fallows's conclusion if he simply maintained that the Air Force should buy a mix of high-cost, high performance planes and less expensive, austere ones. Despite the difficulties of implementation, the services accepted this concept during the early seventies and have more or less stuck with it. But what Fallows does is to take a respectable argument from the narrow field of air-to-air combat and apply it across the board, not only to the Air Force but to technologies and weapons systems he knows little about. The F-15 which Fallows takes to task has unique characteristics—its range/payload, look-down radar, and all-weather capability—that will be absolutely critical in the central European theater for which it was designed, and *no* number of F-5s could ever duplicate them. The ground attack capability added to the F-16 by the Air Force was demonstrated by the Israelis in their attack on the Iraqi nuclear facility last June, with devastating results. A new development in certain technologies will make the previous generation obsolete virtually overnight, as in the interaction between surface-to-air missiles and the electronic countermeasures used to evade them.

Implementing Fallows's recommendations in any systematic way would be difficult, moreover, because he appears confused about what the root of the problem is. On the one hand he argues that the "culture of procurement" has distorted the true mission of the officer corps, which is to lead men and adapt resources to the uncertainties of war. On the other hand, he attacks civilian systems analysts with no direct experience of combat for setting procurement criteria divorced from military realities. Who then should make procurement decisions? The bureaucratic inertia which he so aptly describes in his account of the M-16 rifle is real enough. But while there have been successful programs such as the U-2 reconnaissance plane and the Polaris missile system which have bypassed the service bureaucracies, there have been others like the F-111 which ended in disaster.

Fallows is on firmer ground in his criticism of the All-Volunteer Force, however, and he makes a strong pitch for restoration of the draft. He points out that the problems with the volunteer army go far beyond its inability to reach recruitment goals, and cannot be solved simply with more money. Indeed, the heart of the problem is the premise that a military career is just another job and must compete with the civilian economy on its own terms. This has in effect turned the military into a civilian occupation, in which married soldiers can live off base and commute to work, and be fired or quit their jobs. Such an army can never attract the more ambitious or better educated, and as a result is now composed almost entirely of rural whites, urban blacks, and Hispanics—an army of the poor. Fallows notes that of the 100,860 men who were serving their first term in the combat arms in 1980, only *25* had college degrees. The absence of the educated middle class

11 Questions on Tax Audits

How many of them can you answer?

1. What should you do if you're called on by an IRS "Special Agent"? (One thing — and one thing only. At once! See page 84 of *The Taxpayer's Audit Survival Manual.)*

2. True or false: the IRS has no good way of checking out those 1099's on your dividends, interest, etc. (The wrong answer on this could cost you. See page 29.)

3. The IRS sends you a form letter questionnaire on your return. Is this cause for alarm? (It may be cause for *relief.* But only if you handle it just right. See page 57.)

4. Should you take a professional to an audit? Who should do the talking? (It all depends. See page 76.)

5. Can your accountant be made to testify against you in a tax case? Your lawyer? (The answer to this may be a real eye opener. See page 142.)

6. Should you attach "explanations" to your tax return? (Caution: they could bring *on* instead of preventing an audit. See page 193.)

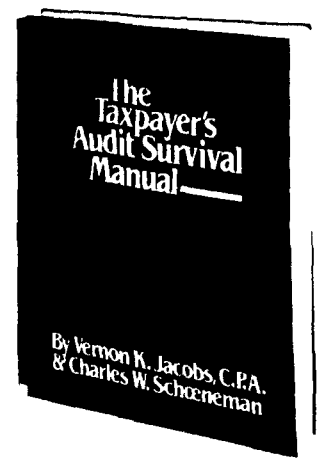
7. Should you "round off" figures on your tax return? (Don't do it before reading page 197.)

8. The tax auditor's in your office. Who should talk to him. Who shouldn't? (Spare yourself trouble. See page 88.)

9. Should you concede arguments early in an audit? If not, what should you do? (Save money. See page 93.)

10. An agent stops his audit without good reason — a sign he may suspect you of criminal fraud. Is there any way to guess at what he thinks you've done? (There may be — if you've taken one precaution. See page 133.)

11. What should you do if you're caught breaking a tax rule? What should you *not* do — ever? (This could be critical to your whole future. See page 93.)



If you don't know the answers to questions like those above (and few taxpayers *do,* even those who are otherwise sophisticated), then in today's tax climate, you're living dangerously.

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- The one kind of return that's always screened for possible audit. Pg. 24.
- A simple way to make your return look more unchallengeable to IRS screeners. Pg. 191.
- How choosing the wrong tax preparer could bring you up for audit. Pg. 24.
- Why the way you list your job may increase your chance for audit — and how to list it so it doesn't. Pg. 197.
- The best and worst times to file if you want to cut odds of an audit. Pg. 197.

How to protect yourself if you're picked

- The very first thing you should always do when approached by an IRS agent. Pg.74.
- When it's probably O.K. if there's a second agent with your auditor. When it may mean *big* trouble. Pg. 84.
- What records to bring to a desk audit. What not to bring. What to do if questioned on the records you left home. Pg. 64.
- When to cooperate during a desk audit. When to stop cooperating. Pg. 81.
- 10 vital rules for any audit. Pg. 99.
- Should you take an IRS agent to lunch? "Tour" him through your business? Pg. 89, 91.
- 28 signs of possible criminal fraud. How an auditor acts if he's suspicious. Pg. 129.
- When you're required to show the IRS your records. When you're not. Pg. 88.
- A critical mistake that can instantly turn a minor civil audit into a potential criminal case. Pg. 76.

How to handle the aftermath

- The agent's objectives in "closing" the audit. How not to get railroaded. Pg. 100.
- When to agree with an agent on the spot. When not to. What happens then. Pg. 102-5.
- What will happen if you *can* pay. 5 things to do if you can't. Pg. 152.
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has changed the human chemistry of the Army in subtle but perceptible ways, as revealed in discipline problems and poor relative performance at *NATO war games.*

Fallows's treatment of remaining defense issues, unfortunately, is again uneven. His discussion of the highly technical problem of bias in missile accuracy in the chapter on the MX seems to reflect nothing more than the views of the last expert he spoke with when researching the book. In other cases his arguments are just silly, as when he maintains that the drive for sophisticated weapons is fueled by overestimation of the Soviet threat, which aerospace companies exploit to the fullest in their ads. The truth of the matter is that the CIA estimates which underlie U.S. defense planning have consistently *underestimated* the Soviet strategic buildup over the past two decades. (The ads, on the other hand, are primarily intended to dupe wealthy and impressionable Arab sheikhs into buying sophisticated weapons systems—successfully, it would seem.)

The final problem with *National Defense* is more serious and has to do with the curiously ahistorical character of its discussion of the current defense debate. It is easy enough to accept Fallows's contention that the United States at all times ought to spend money thoughtfully; it is harder to condone his omission of any serious discussion of the international trends which have made American defense policy a major political issue recently—namely, the steady, across-the-board modernization and expansion of the Soviet armed forces since the early sixties, during a period of either stagnant or declining real U.S. defense spending. No amount of quibbling over the CIA's dollar cost accounting methods can mask the fundamental shift in the global balance of power that has taken place in the past two decades, or the difficulties the United States will have in defending its vital political interests in the eighties. Fallows's reduction of the defense problem to a matter of resource allocation in an inflationary economy in a way reflects the self-absorption of the Carter administration that he so ably diagnosed elsewhere. Although one hopes the new administration will spend its defense dollars wisely, it is important to recognize as well that the domestic sacrifices entailed by higher defense spending are in some way linked to the preservation of a certain open international order, and therefore must be borne. □

MYSAK

(continued from page 27)

selves to death, the same way Eskimos will during a party pull the pin on a grenade and grin, Tibetans commit self-immolation, or South Carolinians repair stock-car engines while pulling on corn cob pipes.

An essential part of Shore drinking is watching the passing show, particularly the summer police, who patrol their beats as assiduously as lawmen sitting in speedtraps. The constabulary, who are rumored to be responsible for 77 percent of many Shore communities' budgets, nightly write tickets for drinking on the sidewalk, flaunting controlled substances, making too much noise, parking in five-minute parking zones, and carhood riding. In the morning they give summonses to those who refuse to buy beach badges, those who sleep on front porches, and those unfortunates who insist on breaking the town ordinances on overoccupancy of bungalows. The men in blue are an essential part of any Shore summer. The Cranford Athletic Club, for one, has paid some $250 in assorted fines.

There are no great American saloons on the Jersey Shore, because they are neither necessary nor appreciated. There are saloons, such as Legget's Sand Bar in Manasquan, which serves up bottles of the Pride of Old Latrobe, Rolling Rock, for a dollar, and whose premises are usually suitably filled with tanned and toothsome young wenches.

And there are rock clubs. These will never figure prominently in a hit movie, unless it be called Saturday Night Dead Drunk. For one thing, they have cover charges, usually of three dollars; for another, most of the patrons arrive already drunk, having economically filled up at home or in cheaper places along the road; for a third, there is no dancing. What dancing there is is usually done between bouncers on vacation from the Green Bay Packers and fist fighters whose egos have been abused. At times, these gentlemen show the unruly the door even for such minor offenses as breaking glasses and singing louder than the band.

A few misguided souls think they can go to such places as the Osprey Hotel in Manasquan and Jimmy Byrne's Sea Girt Inn in nearby Sea Girt to pick up girls, but this is a myth. Some think they go to hear the band—this can hardly be avoided, for the sound level of a Shore bar can best be approximated by standing in a closed hangar at Newark International Airport with your head resting against the engine cowl of a 747 revving up. As ever, the real reason for visiting such places is to savor the choice libations regularly served up.

There are two: the velvety concoction known as the Kamikaze, which might be better known as the Kiss of Death, and the Screwdriver. The Kamikaze consists of two ounces of vodka, a dash of lime juice, and a touch of Triple Sec. At times the thing is made with gin, but in all cases it is meant to be dropped down the chute, not sipped. It is not even an actual drink, but a method of getting drunk, not to say sick, in a hurry, sort of a liquid hand grenade.

The Screwdriver is not the obvious potation familiar to all. Screwdrivers at rock clubs at the Shore are not made with vodka. They are mixed with some kind of rocket fuel liquid nitro, camouflaged by just enough orange juice to turn the thing not orange, but a kind of grey. In all seriousness, I have seen people light the things up with matches. (They make superb Molotov cocktails when thrown.) The bartenders get mad if you finish one and ask for another, and those who do are acknowledged by all to be Really Asking For It.

What it all leads to is the technicolor yawn, brain damage, death, and tales of Getting Really Sick at the Shore. But that is what it's all about. That is what happened, has happened, happens, and will happen. It is also why you rarely hear of anybody drowning in the gentle Jersey surf. □

A SENSE OF HONOR

James Webb / Prentice-Hall / $10.95

Peter Braestrup

Among critically acclaimed "young novelists," James Webb is something of an oddity. He does not teach Melville or, better, Kurt Vonnegut at a small liberal arts college; he has no patrons at the *New York Review of Books;* he has never snared a Guggenheim Fellowship, or a Fulbright; he is not pursuing an "Alternative Life Style" in Vermont or Idaho.

Indeed, to most of those in the orbit of the Literary Life in America, Webb comes from another planet. He is an Air Force brat, a genuine Marine hero (Navy Cross), an Annapolis alumnus (1968), a law school graduate, sometime congressional staffer (House Veterans Affairs Committee), and occasional talk-show expert on his fellow Vietnam veterans. A maverick Republican, he turned down Mr. Reagan's offer to take over the Veterans Administration because, it was said, he did not want young OMB super-boss David Stockman (a non-veteran of Vietnam) telling him how to run the agency.

Yet Webb's best talents are not as a curmudgeon but as a story-teller. His first novel *Fields of Fire* (1978) dealt with the severe experiences of the Marines in one of the Vietnam war's bloodiest sectors—the An Hoa basin southwest of Danang—in 1969-70. Unlike most first novels, his book transcended the autobiographical; it was neither confession nor sermon; it had a plot; its characters grew and developed; it told a tale of men at war that not only engrossed the reader but made him think. And although a sermon can be discerned in Webb's shorter, second novel, *A Sense of Honor,* it is neither stated nor the core; rather, it is the by-product of the novelistic craft that conceals it.

The tale is set at the Naval Academy during February, 1968, against the background of the Tet offensive, and growing antiwar, anti-draft sentiment on civilian campuses. In the beginning, John Dean, a plebe freshman, sympathizes with the civilian protestors, gets high academic grades, is overwhelmed by the Navy's constant high-pressure harassment, and wonders what this crap about duty and pride and honor is all about. Not surprisingly, he ranks at the bottom of his company in "leadership." Bill Fogarty, a First Classman (senior), is big, strong, and totally committed—eager to follow his immediate predecessors into battle for his country and the honor of the Marines. He sets about to instill the same pride and spirit in Dean by bullying him into one harrowing

Peter Braestrup is author of Big Story, *editor of the* Wilson Quarterly, *and a former Marine.*

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physical test after another. But when Fogarty oversteps the official regulations, a young civilian faculty member seizes upon Dean-as-victim; Fogarty is cashiered, to avoid official inquiry—even as Dean, by now a changed man, comes to admire him.

Such are the plot's bare bones. Other characters flesh out the yarn; Commander "Mad" Pratt, the officious careerist hated by Fogarty and faculty members alike; the wary Academy superintendent, an old sea dog destined to be replaced by one of the Navy's new nuclear technocrats; Lenahan, a Marine veteran on the faculty, who is worshipped by the midshipmen, harassed by Pratt, and betrayed by his wife.

As in Webb's first novel, the background detail is dense and accurate; pre-1970s Annapolis comes alive. And the men are more complicated than a short summary would suggest. "What did I yearn for?" Captain Lenahan asks himself. "This uniform, these precious silver bars. Command. Silliness, to a doctor or a lawyer or a banker; but a creed worth dying for, to me." Fogarty begins to question the System after a good friend dies in Vietnam; and, at the end, he asks the Navy, in effect, what it wants the Academy to produce: a leader like himself or a technology-manager like Dean? Congress and the Pentagon are tearing the Academy apart by demanding both.

Webb's good ear and cool eye fail only when it comes to the book's womenfolk; none of them, whether spoiled nymphomaniac, loyal Navy brat, or complaisant Navy nurse, seems quite real, or quite essential to the story. Which may explain why these women remain a bit of a mystery to Webb's lusty menfolk. But Webb knows enough about women to make this point about how men, particularly in war, must deal with grief or fear:

> You bury it. It interferes. It makes other men afraid to follow you . . . The distinction between men and women isn't whether life can hurt you or whether tragedy breeds doubt. The real difference, the one you follow viscerally and the one that women will later debate as if it were untrue is that women show strength by talking about it while men show strength by not talking about it. At least while it's going on.

Fields of Fire was a more powerful novel than is *Sense of Honor*, if only because of its more powerful subject. But Webb's second book has its special value as a timely, unfashionable reminder that schooling, testing, developing future military commanders is no ordinary educational task; Annapolis, West Point, and the Air Force Academy are not to be confused with the Harvards and Stanfords whose alumni grace our law firms, our faculty lounges, and our corporate boardrooms. The service academies, after all, are supposed to produce leaders, not managers, who are ready in mind and spirit to take charge in the organized chaos of combat.

Senior Navy admirals may not take kindly to Webb's latest effort. He has already provoked high-level heartburn (and low level cheers) with a critique, published in *Washingtonian* magazine, of the unintended, demoralizing effects of imposing coeducation, a more "humanistic" curriculum, and a less stressful ethos on the U.S. Naval Academy. At $100,000 per graduate, the taxpayer, Webb contended, was being robbed.

And as Webb's new novel suggests, having eroded the military's *ésprit* and its ability to win battles, this system is clearly in need of a back to basics overhaul. Left alone, it will cost us dearly if, God help us, we ever have to back up our politicians' toughened rhetoric by sending our young men off to fight. Webb makes us think about that. □

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CURRENT WISDOM

The Mail Tribune

(Medford, Oregon)

A learned bull from a member of the intelligentsia of Jacksonville, Oregon very apt to turn up at the next Democratic National Convention if she still has her freedom:

To the Editor: The approaching epoch is closely connected with the ascendency of woman. As in the best days of humanity, the future epoch will again offer woman her right place alongside her eternal fellow traveler and co-worker, man. You must remember that the grandeur of the cosmos is built by the dual origin. Is it possible, therefore, to belittle one element of it?

All the present and coming miseries and the cosmic cataclysms to a great degree result from the subjugation and abasement of woman.

[*February 24, 1981*]

The Great Books Series

In a brave and passionate publishing achievement of the first water, Professor Robert Brustein speaks of the heinous ploys of A. Bartlett Giamatti, Nixon's man at Yale:

In a speech to Yale alumni in Boston that summer, Giamatti told the assembled bankers and brokers that private universities had much in common with private enterprise. After all, each was devoted to freedom—the one in the classroom, the other in the marketplace. The equivalence he made between free enterprise and free expression was no doubt a strategy to attract back the support of Yale alumni alienated by Brewster's "radical" administration. But it also marked a significant change in the political atmosphere of the university. A few months later Giamatti would announce that academic institutions were "tributaries" of society, designed to service its needs and demands—the utilitarian definition of the university I had tried to dispute in Venice. No wonder William Buckley, conservative columnist and author of *God and Man at Yale*, remarked, soon after Giamatti's inauguration, that he was the Yale president with whom Buckley felt the closest ideological affinity. It was no secret, either, that Giamatti had voted for Richard Nixon in the presidential elections—both times.

[*Making Scenes, Random House, 1981*]

The New York Review of Books

Whilst scrutinizing another of Marilyn French's scholarly tomes, Professor Anne Barton makes a point never too infrequently made by the gals of the feminist enlightenment:

Although she sees Shakespeare as the prisoner (like all men) of the misogyny upon which Western civilization is based, a supporter of false and distorting "gender principles" and fraudulent male "legitimacy," she believes that he at least subjected these inherited prejudices to a certain amount of scrutiny.

[*June 11, 1981*]

The Carolina Journal

An inspiriting account of a veritable saturnalia of thought and scientific inquiry, recently occurring at the University of North Carolina before the ambulances arrived:

"Keep talking, I like to hear the truth," exclaimed an enthusiastic student as Hoyt Fuller delivered his soon to be published lecture on Pan Africanism last Wednesday night in the Lucas Room.

For the better part of two hours this author, teacher and black leader held the crowd's attention and called on blacks to contribute to the salvation of this country. Said Fuller, "It is our duty as black people to reject the inclination towards the horrible and it is our task to transform America so that we can be at home here at last."

This can be done by allowing the African spiritual values within to come alive.

Fuller talked about his strong grandmother who nourished his interest in Africa and once healed his wounds by suggesting that he was a descendent of an African king. He then spoke of his first visit to Africa and the sad realization that he was not at home there.

Fuller sees the social problems of the world today as a result of the spirit of western imperialism. It is the duty of blacks to use their inborn healing spirits to counteract these problems. This imperialist spirit is evident today in the freeing of black killers across the U.S. and representative Larry McDonald's society to rebuild Western society. Action is needed now, he said.

Response afterwards was enthusiastic. Dr. Ann Carver of the English department called him "one of the most perceptive thinkers around." Beverly Jones credited him with giving her a new awareness of the world situation and the United States.

[*February 16, 1981*]

The New York Times

Interviewed in the *New York Times*, Jane Fonda speaks of Vietnam and sounds like a surprisingly good German:

Two years ago, when Joan Baez and 80 other former activists drafted a petition criticizing the new Communist leadership of Vietnam for its treatment of political prisoners, Miss Fonda and her husband refused to sign it.

"People *want* to think what they want to think about the Vietnamese because they won and we can't stand that," she says briskly. "It's a country that was totally devastated by war, and I'm sure that harsh measures have been taken to try to rally people around the cause of rebuilding, and that means taking intellectuals and urban people and saying you've got to go into the country and work in the fields, and they don't want to and they're forced to. Well, from our perspective, that's rotten, but I don't know enough about what's going on there to criticize."

[*March 30, 1981*]

The Los Angeles Times

Proof that Dr. John Kenneth Galbraith is making headway found in the correspondence section of a great American *Times:*

There has been a lot of criticism of people who do not want to work, especially when they are collecting welfare. Most people prefer to work and that is fine, but others may prefer to sit in the park or go to the beach to observe the wonders of nature. Those who dislike working should not be forced to, nor should they be penalized by depriving them of the benefits of our society. There is plenty for all.

Everyone does not feel the same way about working. Some have built-in feelings about it that make it very unpleasant for them when required to work. This could be looked upon as a handicap. We do not punish others with handicaps. Our society provides for them and should do the same for those with a natural dislike for work. Why can't we all live and let live with each to his own style?

[*January 31, 1981*]

The Minneapolis Tribune

Moral notification to the liberty-loving readers of the *Minneapolis Tribune:*

Editors note: Beetle Bailey does not appear on today's comics page because the subject matter of the cartoon strip for release today was considered by Tribune editors to be sexist. Beetle Bailey will return in Thursday editions.

[*March 4, 1981*]

The Washington Post

The heretofore auspicious sexual revolution meets the women's liberation movement, during another of Miss Ellen Goodman's dramatic commentaries on the Tarnower Massacre:

BOSTON—"If you want to know what I think, I think the guy deserved to die!"

The woman says this with blistering vengeance. She is standing at the sink, briskly chopping the six walnut halves for her Scarsdale diet lunch.

"Listen to this," she says, turning back the pages of the paperback to the acknowledgments. She reads down the list: "Suzanne . . . Phyllis . . . Terry . . . Elizabeth . . . Janet . . . Barbara . . . Elaine . . . Frances . . . June . . . Sharon . . . Ruth . . . There are 35 women's names! The creep should have worn a scarlet B for bastard."

The woman puts the last scoop of cottage cheese on the platter and brings it to the table saying, "I don't know if she did it on purpose or not, but I hope she gets acquitted."

I smile at her for a moment, because this irate friend is so rarely belligerent. She is an academic who normally adds historical footnotes and "allegedlys" to her measured opinions. But today she sounds like some advocate of capital punishment for Lotharios.

This is what the story of Jean Harris and Hy Tarnower has done.

[*February 4, 1981*]

The Washington Post

In the correspondence column of the *Washington Post,* an American logician of great gifts enunciates a moral crisis destroying the geniuses of our land!

I want to comment on the Billie Jean King homosexual affair.

I feel that she has done so much for the women in this country, in sports and out of sports, it is a shame that we can only see her sin as "her" sin. We must all take part of the blame for what happened to her: the pressures, the need we all have for our athletes and movie stars to be so "perfect." . . .

—*Theresa C. Burrows*
Alexandria, Virginia

[*May 16, 1981*]

The Washington Post

Authoress Toni Morrison, the Jane Austen of Manhattan, displays that sublime quality of mind that recently made her a *Newsweek* cover story:

President Reagan has stated that the government should not be used "to bring about social change"—meaning apparently, that the government role is to curtail social change. Therefore, when the government strangles the art community, it is saying to its own citizens: Your government has no interest in a future, only in a past. It is saying to that part of the public that can least afford it—to struggling artists and art organizations that have absolutely no access to corporate funds: You must wither while these others flourish. It is saying to poor people in Tucson, the Bronx and Oakland: You must not only live in substandard housing, with poor health care, inadequate protection and subsistence diets, you must also relinquish your cultural life-line—the reason, sometimes, you get up in the mornings; the respite you look forward to of an afternoon; the relish of working at your own art. That, too, you must live without, even though it may be the single creative, constructive and joyful thing you do.

[*March 22, 1981*]

The New York Times

Christopher Lehmann-Haupt, that steatopygic truth-seeker of the *New York Times,* makes bold to remind us once again of all those various and sundry and multifarious and soporific atrocities committed by our boys during the late holocaust:

Nevertheless, for all the detail and horror of "Nam" and "Everything We Had," there is something tedious about the experience of reading them. . . . Alas, we have read it all before, from the stories of live Vietnamese children who were turned into booby-traps by the Vietcong, to the reports of wanton rape and murder by American soldiers driven mad by the elusiveness of the enemy."

[*June 11, 1981*]

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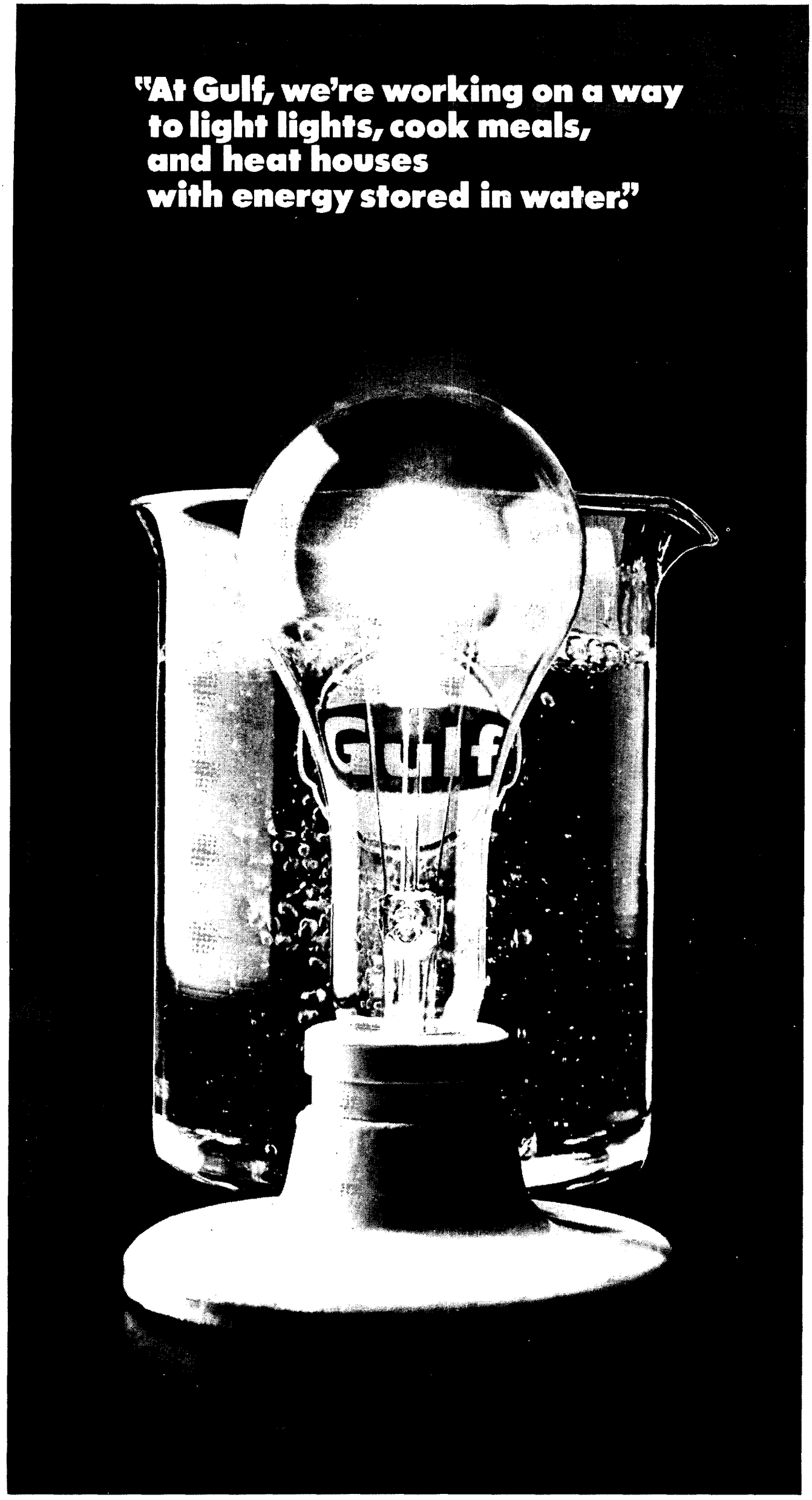

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